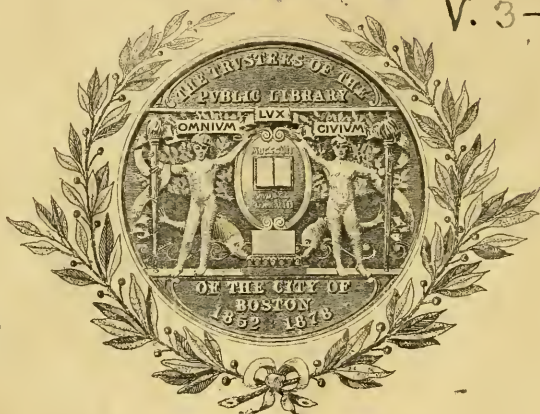




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U. S. DEPARTMENT OF LABOR  
CHILDREN'S BUREAU

JULIA C. LATHROP, Chief

LAWS RELATING TO  
"MOTHERS' PENSIONS" IN THE  
UNITED STATES, DENMARK  
AND NEW ZEALAND

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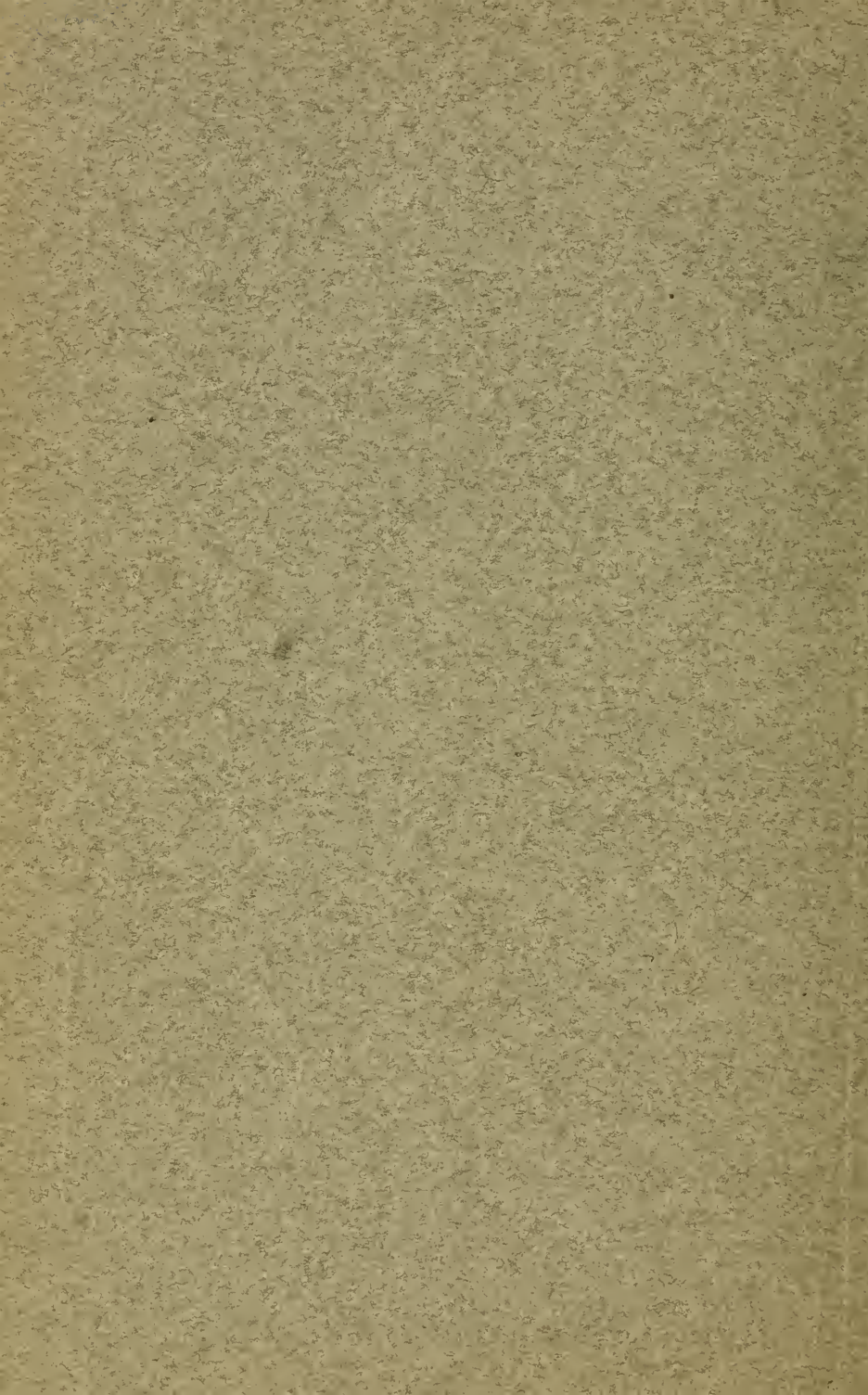
DEPENDENT CHILDREN SERIES, No. 1

Bureau Publication No. 7



WASHINGTON  
GOVERNMENT PRINTING OFFICE

1914



U. S. DEPARTMENT OF LABOR  
CHILDREN'S BUREAU

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U. S. DEPT. OF COMMERCE

July 22, 1914.

## PUBLICATIONS OF THE CHILDREN'S BUREAU.

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First Annual Report of the Chief, Children's Bureau.

[Bureau publication No. 1.] The Children's Bureau; a circular containing the text of the law establishing the bureau and a brief outline of the plans for immediate work. (Out of print.)

[Bureau publication No. 2.] Birth Registration; an aid in protecting the lives and rights of children; necessity for extending the registration area.

Bureau publication No. 3. Infant Mortality Series No. 1, Baby-saving Campaigns; a preliminary report on what American cities are doing to prevent infant mortality.

Bureau publication No. 4. Care of Children Series No. 1, Prenatal Care, by Mrs. Max West.

Bureau publication No. 5. Part 1 of Handbook of Federal Statistics of Children; number of children in the United States with their sex, age, race, nativity, parentage, and geographic distribution.

Bureau publication No. 6. Infant Mortality Series No. 2; New Zealand Society for Health of Women and Children; an example of methods of baby-saving work in small towns and rural districts.

Bureau publication No. 7. Dependent Children Series No. 1; Laws Relating to "Mothers' Pensions" in the United States, Denmark, and New Zealand.

MAILED JUL 23 1914  
U. S. DEPT. OF COMMERCE  
DIVISION OF CHILDREN



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## LETTER OF TRANSMITTAL.

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U. S. DEPARTMENT OF LABOR,  
CHILDREN'S BUREAU,  
*Washington, D. C., March 20, 1914.*

SIR: I have the honor to transmit herewith a compilation of laws relating to "mothers' pensions" in 22 States of this country, and in Denmark and New Zealand, together with certain notes as to their operation, and a bibliography.

In 1913, more than half the State legislatures in session that year considered bills providing public aid for mothers of young children otherwise dependent. In 17 of these (California, Idaho, Iowa, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Washington, and Wisconsin) "mothers' pension" laws were passed; in 2 (Illinois and Missouri), existing laws were revised and amended; in Oklahoma the "school scholarship" provision was reenacted in the revised school law; while in California and New York laws were passed providing for commissions to study the question of "mothers' pensions." In 6 other States (Arizona, Connecticut, Indiana, Kansas, North Dakota, and Tennessee) bills were under consideration, but failed of passage. One additional State (Colorado) had adopted a "mothers' compensation act" at the November election, 1912, which became effective January, 1913. There are now in operation in 21 States (including Oklahoma) laws providing aid to mothers in varying sums and under varying conditions. The earliest of these laws were secured in 1911.

Thus it will be seen that in two years there has come into existence in States embracing half the population of the country a type of legislation whose purpose is admittedly uniform, namely, to secure for young children home life and the personal care of a good mother. No one quarrels with this purpose. On the other hand, the opinions of experts on social betterment do not agree as to the wisdom of trying to secure this purpose through so-called pension legislation, as will be seen by an examination of the discussions referred to in the attached bibliography. The methods and standards prescribed in

the different States vary. It is impossible that all should prove equally valuable in serving their common purpose. At the present time it is impracticable for this bureau to undertake any field study of the operation of these laws (even were it not premature), but in view of the immediate legislative importance of the matter and of its various bearings, it is believed that the following compilation of American texts, together with the New Zealand law passed in 1911 and a translation of the Danish law passed in 1913, added for purposes of comparison, will prove timely and useful. The bibliography, while not exhaustive, contains most of the significant recent material.

The preparation of the bulletin is the work of Miss Laura A. Thompson, librarian of the bureau.

Respectfully submitted.

JULIA C. LATHROP, *Chief.*

Hon. WILLIAM B. WILSON,  
*Secretary of Labor.*



## INTRODUCTION.

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### HISTORY OF "MOTHERS' PENSION" LEGISLATION IN THE UNITED STATES.

The earliest of the laws providing for the care of dependent children in their own homes out of public funds was that of Missouri, approved April 7, 1911, which provided for an allowance to mothers "whose husbands are dead or prisoners, when such mothers are poor and have a child or children under the age of 14 years." This law went into effect in June, 1911. By a population limitation it was made applicable only to Jackson County, in which Kansas City is situated. In the same year, following upon the report of a municipal commission on delinquent, dependent, and defective children in St. Louis, a law was passed whereby St. Louis was given power to establish by city ordinance a board of children's guardians, with authority to board out children to their own mothers. Such an ordinance was passed by St. Louis in July, 1912.

In Illinois in the same year a similar but more comprehensive "funds to parents act" was passed on June 5, 1911. This law, which went into operation on July 1, 1911, provided that—

If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents at such times as said order may designate the amount so specified for the care of such dependent or neglected child until the further order of the court.

The next State to legislate on the subject was Colorado, which adopted by popular vote the "mothers' compensation act" submitted by petition at the November election in 1912. This law, which followed in general the provisions of the Illinois funds to parents act, became effective, upon proclamation of the governor, on January 22, 1913.

For many years the State of California, under section 22 of article 4 of the constitution, has allowed to institutions for the care of dependent orphans the sum of \$100 per year, and for dependent half orphans and abandoned children the sum of \$75 per year. Prior to

1913, in the absence of any law specifically authorizing grants from public funds for the maintenance of dependent children in their own homes, such aid was being given in San Francisco, Los Angeles, and elsewhere under a liberal interpretation of section 21 of the juvenile court act, which permits the court, in the order providing for the care of a dependent or delinquent child, when the parent is unable to pay for the maintenance of such child, to direct that an amount not exceeding \$11 a month be paid out of the county treasury. Wherever it seemed desirable, the private charitable organizations which accepted the commitment of the children permitted them to remain in their own homes, giving to the mother the amounts ordered by the court. Semiannually the counties then made demand on the State for the amounts expended in behalf of half orphans within the limits prescribed by section 22 of the constitution. The law of 1913 authorizes the payment of this State subsidy for the maintenance of half orphans in their own homes, together with a like amount out of local funds.

In Wisconsin, also without definite State enactment, the practice of granting public aid to poor mothers for the care of children in their own homes had been started in Milwaukee County under a resolution of the county board of March 26, 1912, which set aside a special fund of \$5,000 to be used under the supervision of the juvenile court of Milwaukee in giving financial assistance to the families of dependent and neglected children, instead of committing the children to the Milwaukee County Home for Dependent Children. The law passed in 1913 authorizes such aid in all counties of the State and makes a State appropriation to meet half of the expense.

Several of States in their compulsory education laws have made provision for furnishing books and clothing to poor children who must by law attend school. The laws of two of these States, Oklahoma and Michigan, are here included, because they differ from the usual type of school-aid laws in that they make provision, in addition, for the payment of money for the support of the children. The Oklahoma law, first enacted April 10, 1908, provides for a "school scholarship," equivalent to the earnings of the child, to be paid by the county, upon recommendation of the school authorities, to children of widowed mothers when the earnings of such children are necessary to the support of the mother. The Michigan law, passed April 29, 1911, provides for the payment, out of school funds, of a sum not exceeding \$3 a week to enable children of indigent parents to attend school.

In 1913, of the 42 State legislatures in session, 27 had before them bills providing for the support of dependent children in their own homes out of public funds. Illinois completely revised its law of 1911, incorporating into it the regulations found necessary in the

administration of the law during the first year and a half of its operation. Missouri extended the provisions of its law to include women whose husbands were in insane asylums or State colony for the feeble-minded. California, Idaho, Iowa, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Washington, and Wisconsin enacted new laws. (Massachusetts had in 1912 appointed a commission on the support of dependent children of widowed mothers.) Two States, California and New York, passed laws creating commissions to study the question of mothers' pensions. Oklahoma reenacted the "school-scholarship" provision in its revised school law. In six other States—Arizona, Connecticut, Indiana, Kansas, North Dakota, and Tennessee—bills were under consideration but failed of passage.

#### SUMMARY OF THE LAWS OF THE VARIOUS STATES.

The purpose underlying all these laws is that of preventing the breaking up of the home when on account of death or disability the support of the natural breadwinner of the family is removed. But the methods adopted to secure this end vary widely in the different States, as will be seen from the following summary of the laws:

**Persons to whom aid may be given.**—The law applies to any parent who on account of poverty is unable to care properly for a dependent or neglected child but is otherwise a proper guardian, in Colorado and Nebraska; to any parent or grandparent in Nevada; to any parent or guardian in Wisconsin. In the other States it applies only to mothers. In California, New Jersey, Oklahoma (and also in St. Louis) the mother must be a widow to receive the benefits of the act. In the remaining States not only widows but the following other classes of mothers with dependent children are included: mothers whose husbands are in prison in Idaho, Iowa, Minnesota, Missouri, Ohio, Oregon, South Dakota, and Washington; mothers whose husbands are in State insane asylums in Iowa, Minnesota, Missouri, Oregon, and Washington; mothers whose husbands are totally incapacitated, physically or mentally, in Illinois, Minnesota, Ohio, Oregon, South Dakota, and Washington; deserted wives in Michigan, Ohio (if deserted for three years), Pennsylvania, and Washington (if deserted for one year). In Michigan are included also unmarried and divorced mothers. In Colorado, Oregon, and Wisconsin, if the person having custody of the child is not regarded as capable of expending the aid wisely, the court may order it to be paid to some other person for the benefit of the child.

**Conditions on which aid is given.**—(a) *Degree of poverty.*—The condition of receiving aid under these laws is uniformly that of poverty, with certain definitions added in some of the laws. In Washington the mother must be destitute; in New Hampshire and Utah she must be dependent entirely on her own efforts for support; in Oregon, wholly or partly dependent; in Illinois she may not own real property or personal property other than household effects. In Idaho, Illinois, Missouri, New Hampshire, Ohio, South Dakota, and Utah the aid must in the judgment of the court be necessary to save the child from neglect; in New Jersey, from becoming a public charge.



(*b*) *Home conditions.*—In most of the laws the requirement is made that the mother is a fit person, morally and physically, to bring up her children and that it is for the welfare of the child to remain at home. In Idaho, Illinois, Missouri, New Hampshire, Ohio, South Dakota, and Utah it is made conditional that the child or children be living with the mother and that the mother shall not work regularly away from home. In South Dakota she may not be absent for work more than one day a week; in Illinois and Ohio the amount of time is left to the discretion of the court.

(*c*) *Residence.*—In Washington and Minnesota one year's residence in the county is required; in Idaho, Missouri, New Hampshire, Ohio, and Utah two years' residence; in Illinois and Pennsylvania three years' residence. Some of the States require "legal residence" in the State; Minnesota, two years' residence; California and Massachusetts, three years; California and Illinois require, in addition, that applicant be a citizen of the United States.

*Age of child.*—The maximum age of a child on whose account an allowance may be made is 14 years in California, Illinois (may be extended to 16 years if child is ill or incapacitated for work), Iowa, Massachusetts, Minnesota, Missouri, South Dakota, and Wisconsin; 15 in Idaho, Utah, and Washington; 16 in Colorado, New Hampshire, New Jersey, Oklahoma, and Oregon; 17 in Michigan; and 18 in Nebraska and Nevada. The legal working age is the limit in Ohio and Pennsylvania.

*Amount of allowance.*—The maximum allowance for one child is \$2 a week in Iowa, \$3 a week in Michigan. It is \$9 a month for one child, \$14 for two children, and \$4 for each additional child in New Jersey; \$10 a month for each child in Minnesota and Nebraska; \$10 a month for one child and \$5 for each additional child in Idaho, Missouri (i. e., Jackson County), New Hampshire, and Utah; \$10 for one child and \$7.50 for each additional child in Oregon; \$12 for one child and \$4 for each additional child in Wisconsin (amount may, however, be temporarily increased in case of sickness or unusual conditions); \$12 for one child, \$20 for two children, \$26 for three children, and \$5 for each additional child in Pennsylvania; \$12.50 for each child in California (\$6.25 a month by the State and a like amount by the city or county); \$15 for one child and \$5 for each additional child in Washington; \$15 for one child and \$7 for each additional child in Ohio and South Dakota; \$15 for one child and \$10 for each additional child in Illinois (not to exceed in all \$50 for any one family). In Colorado, Massachusetts, and Nevada no maximum is set, but the amount must be sufficient to care properly for the child, with the restriction in Nevada that it may not exceed what it would cost to maintain and educate the child in a county or State home. In Oklahoma the "school scholarship" is the equivalent of the wages of the child. In the city of St. Louis the maximum is \$3.50 a week, which may be increased temporarily on account of sickness or other exceptional conditions.

*Administration.*—The law is administered by the juvenile court or some other county court with similar functions in Colorado, Illinois, Idaho (probate court), Iowa, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Jersey (common pleas), Ohio, Oregon, South Dakota, Utah, Washington, and Wisconsin; by the county commissioners, upon advice of the school board, in New Hampshire; by the city or town overseers of the poor in Massachusetts; and by an unpaid board of five to seven women residents of each county, appointed by the governor, in Pennsylvania. In Ohio, Nebraska, and South Dakota the order granting aid is good only for six months unless renewed. In Idaho, Illinois, Minnesota, Missouri, Nevada, New Hampshire, Ohio, Utah, and Washington the court may at any time modify or discontinue the allowance. In California supervisory powers are given to the State board of control, which can appoint three State



children's agents, with an unpaid advisory committee of three persons in each county; in New Jersey all cases granted aid are under the supervision of the State board of children's guardians. In Massachusetts certain supervisory powers are given to the State board of charity; in Wisconsin to the State board of control. In Illinois and Ohio the law requires that visits shall be made to the homes from time to time by the probation officers; in Massachusetts that the overseers of the poor shall visit the families at least once in every three months and reconsider each case at least once a year.

**Source of funds.**—In all the States except California, Massachusetts, Pennsylvania, and Wisconsin the funds for carrying out the provisions of these laws come out of the county treasury. In Illinois these are raised by a special tax of not exceeding three-tenths of a mill on the dollar of the taxable property of the county, and in Ohio by a tax not exceeding one-tenth of a mill. In California reimbursement to the extent of \$75 a year is made to the local authorities by the State; in Massachusetts one-third of the amount in settled cases and the whole amount in unsettled cases. In Pennsylvania and Wisconsin the State bears one-half of the expense within the limits of the appropriation, which is apportioned according to the population of the counties.

**Penalty for fraud.**—Penalties are provided for procuring or attempting to procure an allowance fraudulently in Idaho, Illinois, Missouri, Nevada, Ohio, Pennsylvania, South Dakota, Utah, and Washington.

#### THE DANISH AND NEW ZEALAND WIDOWS' PENSION LAWS.

The laws of both Denmark and New Zealand, while having the same general purpose as the laws of the various American States, illustrate somewhat different methods of dealing with the problem.

Under the Danish law, which became effective January 1, 1914, every widow who is the mother of a child or children under 14, whose property and income is less than a certain amount, proportionate to the size of her family, is entitled to a public grant toward the support of such children. The amount of the allowance is graduated by the age of the children, the highest rate being paid for children under 2 years of age. In exceptional circumstances the aid may be extended until the child is 18 years old. Certain requirements are made as to the fitness of the mother and the home conditions. The aid is expressly stated to be nonpauperizing and its continuance is made conditional upon the mother keeping off the poor relief. Half of the expense of the aid is borne by the State, the remainder by the commune in which the widow has permanent residence.

The New Zealand law, which went into operation January 1, 1912, provides a pension for any widow of good moral character with dependent children under 14. (Extended in 1912 to include also wives of inmates of insane hospitals.) The law, while general in terms, is made to apply only to those who need assistance by providing for the deduction from the pension of £1 for every pound which the widow's income exceeds a certain amount. The aim, as in the Danish law, is to prevent destitution instead of making this condition a requirement for the granting of assistance. Applications for pensions are made

to the registrars of old-age pensions and are granted or refused upon hearing before a magistrate. Each grant is for a period of 12 months, at the end of which the circumstances of the pensioner are reviewed. The whole expense of the pension is borne by the State, and payments are made monthly through the post office. Upon the death of the widow application may be made for continuance of the pension to the guardian of the children. The National Provident Fund Act of New Zealand, passed in 1910, a year before the Widows' Pension Act, also makes special provision for the support of dependent children by providing for the payment, on the death of a contributor, of a weekly allowance to the widow so long as any child is under 14 years of age, due after contributing for five years (not therefore yet in operation).

## LAWS RELATING TO "MOTHERS' PENSIONS" IN UNITED STATES.

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### CALIFORNIA.

[Constitution, Article IV.]

SEC. 22. The legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half orphans, or abandoned children, \* \* \* such aid to be granted by a uniform rule, \* \* \* *Provided, further,* That whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half orphans, or abandoned children, \* \* \* such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the legislature. \* \* \*

For many years under this provision the State has been paying to institutions \$100 a year for the care of orphans and \$75 a year for half orphans and abandoned children. Such payments are authorized also to any city, town, or county providing for such dependents.

[Laws 1913, chap. 323.]

An Act To amend sections 2283, 2285, 2286, 2287, and 2289 of the Political Code relating to the support and maintenance of orphans, half orphans, and abandoned children.<sup>1</sup>

*The people of the State of California do enact as follows:* SECTION 1. Section 2283 of the Political Code of the State of California is hereby amended so as to read as follows:

2283. *Appropriation for care of dependent children—Aid to mothers.*—There is hereby appropriated out of any money in the State treasury not otherwise appropriated, to each and every institution in this State conducted for the support and maintenance of needy minor orphans, half orphans, or abandoned children, and to each and every county, city and county, city, or town maintaining such orphans, half orphans, or abandoned children, or any or all of such classes of persons, aid as follows: For each whole orphan supported and maintained in any such institution, not in excess of one hundred dollars per annum; and for each half orphan or abandoned child, not in excess of seventy-five dollars per annum; but each abandoned child must have been an inmate thereof for one year prior to receiving any support as provided in this chapter: *Provided,* That in addition to the amount paid by the State for each half orphan maintained at home by its mother, the county, city and county, city, or town may pay for the support of such half orphan an amount equal to the sum paid by the State: *And provided further,* That in any case where any such half

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<sup>1</sup> For a discussion of the provisions of this act see paper by W. Almont Gates, secretary of the State Board of Charities, in the Proceedings of the National Conference of Charities and Correction, 1913, pp. 306-311.

orphan is denied aid by the county, upon a petition setting forth the facts in full as to the necessity of aid, verified by five reputable citizens of the county, city and county, city, or town, the mother of such child shall have the right of appeal direct to the State board of control for aid for her child, and should her appeal be sustained by said board payment must be made for the child as above provided.

SEC. 2. Section 2285 of the Political Code of the State of California is hereby amended so as to read as follows:

2285. *Books to be kept by institutions, cities, and counties.*—Every institution, county, city and county, city, or town entitled to aid under this chapter must keep the following books, which at all times must be open to the State board of control or to any person appointed by them to examine the same, or to any committee of the legislature, or to any clerk or officer thereof duly authorized to make such examination:

1. A book in which must be entered the date of admission, name, age, sex, and place of birth of each and every orphan, half orphan, and abandoned child, who is or may hereafter be received or admitted into such institution, or to county aid, and the date of discharge of any such child, when such discharge is made, the parentage, if known; the estate, if any, to which the child is heir, and the insurance, if any, on the father's or mother's life; so far as can be ascertained, the place where either parent or both died, the nativity of the parents, where married, the marriage certificate, where recorded, when they came to California, place of residence in California, and habits of sobriety.

2. A book entitled "monthly accounts." In it must be entered on the debtor side, all the moneys received from any and all sources segregated under the proper heads; on the credit side must be entered all disbursements made, specifying for what purposes made, and the amount entered in detail so disbursed, segregated under their proper heads.

3. A pay roll of the employees, and the amounts disbursed to each.

4. A book in which must be entered in detail the amounts paid for the specific support of every orphan, half orphan, or abandoned child and the date of such payments.

5. A transcript of the books and pay roll, verified under oath by the manager or person in charge of such institution entitled to or claiming State aid under this chapter, must be made and forwarded to the State board of control at the time of making demand or presenting claim for State aid, covering the time for which such claim or demand for State aid is made.

6. A list of all the inmates other than employees or orphans supported wholly or in part by any institution presenting a claim for State aid under this chapter, must also be forwarded with such claim for aid.

SEC. 3. Section 2286 of the Political Code of the State of California is hereby amended so as to read as follows:

2286. *Supervision by board of control—Children's agents.*—The State board of control is authorized, in behalf of the State, at any time to inquire, either in person or by authorized agent into the management of any such institution; and any institution refusing, upon due demand, to permit such inquiry or to comply with regulations established by said board for the proper maintenance and care of children receiving State aid must not thereafter receive any aid under this chapter until it has complied with all requirements. To carry out the provisions of this act, the State board of control may appoint three children's agents who shall, under the rules of said board, visit the homes and the institutions in which are children to whom State aid is being given or for whom aid is being asked, to obtain such information as the board may need in carrying out the provisions of this chapter. Such agents shall receive their necessary



traveling expenses and a salary of one hundred and seventy-five dollars per month, which salary shall be paid in the same manner and at the same time as the salaries of other State officers. All expenses incurred in visiting said asylums and homes, when there are no other available funds, may be audited and allowed by the State board of control out of the appropriation for support of orphans, half orphans, and abandoned children. In addition an advisory committee of three persons serving without pay or expense to the State may be appointed by the board of control, to act in any county in conjunction with the children's agents.

SEC. 4. Section 2287 of the Political Code of the State of California is hereby amended so as to read as follows:

2287. *Regulations governing claims for State aid.*—Every claim for aid under this chapter must be presented to and audited and allowed by the State board of control. Such claim must contain:

1. The name and location of the institution making the claim, or the name of the county.

2. The name of the person or persons having charge or control of the institution or of the child.

3. The number of orphans, half orphans, or abandoned children therein, in the case of an institution.

4. The date of admission and age of each child.

5. The amount, if any, that the institution is receiving for the specific support of any orphan, half orphan, or abandoned child therein. Such claim, and the statements therein contained, must be verified by the person or persons, or some of them, in charge of such institution, or in the case of counties, by the county officers in charge of the distribution of aid, and the State board of control may, in its discretion, require the production of the books of such institution or county in support of such claim.

SEC. 5. Section 2289 of the Political Code of the State of California is hereby amended so as to read as follows:

2289. In order that the provisions of this chapter shall not be abused, it is hereby declared:

1. That no institution which has less than twenty inmates of either or all of the classes mentioned in section twenty-two hundred and eighty-three must be deemed an institution for the support and maintenance of minor orphans, half orphans, or abandoned children, within the intent and meaning of this chapter.

2. That no child over the age of fourteen years shall be deemed a minor orphan, half orphan, or abandoned child, within the intent and meaning of this chapter.

3. That no child for whose specific support there is paid to any such institution the sum of ten dollars or more per month shall be deemed a minor orphan, half orphan, or abandoned child within the intent and meaning of this chapter.

4. That no child whose parent or parents have not resided in this State for at least three years prior to the application for aid, or whose parent or parents have not become citizens of this State shall be deemed a minor orphan, half orphan or abandoned child within the intent and meaning of this chapter.

5. That no child maintained in an institution for whom a bona fide offer of a proper home has been made shall be considered eligible for further State aid: *It is further provided, however,* That no institution shall be required to surrender a child to any person of religious faith different from that of the child or the parents of the child.

Approved May 26, 1913. In effect August 10, 1913.

## AID TO MOTHERS IN SAN FRANCISCO.

Prior to the passage of this act, aid had been given mothers for the support of dependent minor children in their own homes by the juvenile courts of Los Angeles and San Francisco Counties and to a small extent elsewhere under a liberal interpretation of section 21 of the juvenile court act of 1909, amended 1911, which provides that:

"Any order providing for the custody of a dependent or delinquent person may provide that the expense of maintaining such person shall be paid by the parent or parents or guardian of such person, and in such case shall state the amount to be so paid. \* \* \* If it be found, however, that the parent or parents or guardian of a dependent or delinquent person is unable to pay the whole expense of maintaining such person, the court may, in the order providing for the custody of such person, direct such additional amount as may be necessary to support such person to be paid from the county treasury of the county for the support of such person, the amount so ordered to be paid from the treasury of said county not to exceed, in case of any one person, the sum of eleven dollars per month: *Provided, further,* That no order for the payment of all or part of the expense of support and maintenance of a dependent or delinquent person from the county treasury shall be effective for more than six months, unless a new order is secured at the expiration of that period. The court may thereafter set aside, change or modify any order herein provided for." [Laws 1911, p. 671.]

In San Francisco this aid was given by the juvenile court through the medium of the child-placing agencies which, while accepting commitment and responsibility for the children, left them in their own homes. In such cases the home and family were supervised and visited regularly by representatives of the society who reported to the court from time to time upon the character of the home conditions. The amounts ordered paid were secured by the charitable society upon its demand for service rendered in providing care for the children and then were turned over by it to the parent or parents. Semiannually the county made demand on the State for the amount expended in behalf of dependent orphans, half orphans, or abandoned children. In June, 1912, the Children's Agency of the San Francisco Associated Charities had under its care 201 children who had been committed by the court and were being boarded with parents or relatives. (As against 181 in 1911.) In its annual report for 1912 the society explained its refusal to accept other commitments urged upon it on the ground that the State allowance—\$6.25 a month for each half orphan—was inadequate, unless supplemented from other sources, to maintain a proper standard of life for the family, without requiring the mother to go out to work during the hours that her children were at home, thus defeating the main purpose of the aid.

To carry out the provisions of the new law San Francisco opened a widows' pension bureau in the city hall in September, 1913. Two hundred and twenty-three widowed mothers who had been receiving aid through the juvenile court were transferred to the new bureau but continued to receive help through the juvenile court pending reinvestigation and the procuring of evidence necessary to obtain State aid under the new law. Of these 223 cases, 114 were found to be entitled to aid from the pension bureau. One hundred and nine could not be considered for the following reasons: 47 parents not citizens; 20 improper homes; 7 desertion cases; 3 not living with mother; 24 self-supporting; 5 married a second time; 3 not living in county. These 223 cases were handled by the juvenile court at a total expense of \$4,506.20. The 114 cases accepted by the pension bureau are being cared for at a total expense of \$2,432.25 (\$1,762.50 State, plus \$669.75 county) per month. The juvenile court is continuing to pay in the cases where the parents are not citizens, to the amount of \$975.50 per month, pending further action on this question by the board of supervisors. Up to August 2, 1913, the State advanced \$6.25 for each half orphan in need of such aid, but in keeping with paragraph 4 of section 5 of Laws of 1913, chapter 323, the attorney general of the State has decided that from that date on the State would assume no further responsibility in any cases where citizenship of parents could not be proven. This decision involves also children in institutions and under the care of the various agencies whose parents were never naturalized. These children have, in nearly all cases, been cared for jointly by the city and county and by the State (\$6.25 State and \$4.75 county) and should the county now have to assume the whole cost, this will materially diminish the amount of money that will be available this year for aiding widows out of the

general fund of \$200,000 appropriated by the city and county for the care of all dependent and delinquent children. Up to January 1, 1914, 545 (328 new applications) had applied for aid. For further discussion of the situation in San Francisco see "Notes on widows' pensions act as administered in San Francisco," by Margaret C. Nesfield, director of the widows' pension bureau, San Francisco.

#### COMMISSION TO INVESTIGATE MOTHERS' PENSIONS.

Various proposals for "mothers' pension" legislation were before the California Legislature in the session of 1913. In order to have at hand more exact information on the subject than was available at that time, the legislature passed the following law providing for a commission to study the question of mothers' pensions (as well as that of old-age pensions) and report at the next regular session in 1915.

[Laws 1913, chap. 681.]

An Act Authorizing the governor to appoint a commission to investigate and report at the forty-first session of the legislature concerning the adoption of a system of old-age insurance and pensions, and mothers' pensions, and making an appropriation therefor.

*The people of the State of California do enact as follows:* SECTION 1. *Duties of commission—Membership—Report.*—The governor of California is hereby authorized and requested to appoint a commission<sup>1</sup> consisting of five persons, citizens of this State, one of whom shall be a member of the State board of control, to investigate and consider the various systems of old-age insurance, old-age pensions or annuities, also mothers' pensions or mothers' compensations now in use in different counties of this or other States, and as may be proposed or as are now in operation in other States of this country or elsewhere abroad, and to make a full and complete report of its findings with all data so obtained, properly tabulated, to the legislature at its next regular session. Said commission shall report also statistics showing the probable expense to the State of various systems, or of any system that it may recommend for adoption together with any bills of its own relating to this subject that may be deemed expedient.

SEC. 2. *Appropriation.*—There is hereby appropriated out of the general fund not otherwise appropriated, and the controller is herewith authorized and directed to issue his warrants for same from time to time, and the treasurer is likewise authorized and directed to pay the same on presentation of said warrants, the sum of three thousand dollars or any portion thereof, as may in the judgment of the commission be required to complete its work under the provisions of this act.

Approved June 16, 1913. In effect August 10, 1913.

#### COLORADO.

[Laws 1913, pp. 694-696. Passed by popular vote, November 5, 1912.]

An Act To amend an act entitled "An act concerning dependent and neglected children, approved April 2, 1907."<sup>2</sup>

*Be it enacted by the people of the State of Colorado:* SECTION 1. That section 7 of an act entitled "An act concerning dependent and neglected children, approved April 2, 1907," be and the same is hereby amended so as to read as follows:

SECTION 7. Any dependent child committed to the State Home for Dependent and Neglected Children shall, as to its care and disposition by said home, be

<sup>1</sup> Commission not yet appointed (Feb. 24, 1914).

<sup>2</sup> For the discussion of the provisions of this act see article by Judge Lindsey in the Survey, Feb. 15, 1913.



subject to any special order of the court making such commitment, provided such order be made at the time of such commitment. If the parent or parents of such dependent or neglected child are poor and unable to properly care for such child, but otherwise are proper guardians, and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the board of county commissioners, and in those cities and counties operating under Article XX of the constitution it shall be the duty of the department and authority performing that part of the functions of a board of county commissioners, or vested with power for the relief of the poor, to pay such parent or parents, or, if it seems for the best interest of the child, to some other person designated by the court for that purpose, at such times as said order may designate, the amount so specified, or when so ordered by the court, its equivalent in supplies and assistance, for the care of such dependent or neglected child until the further order of the court. The juvenile court in counties of over 100,000 population, and the county court in all other counties, shall appoint proper persons for the purpose of investigation, visitation, the keeping of records and the making of reports in cases requiring relief under this act. The details as to the number of such investigators, their rights, duties and powers in addition to that of investigators of such cases, their compensation, the limitations thereon and the authority of the county or city and county required to provide for such compensation shall be as provided by law for the employment of probation officers in such juvenile and county courts. It shall be the duty of the clerk of such juvenile or county courts, on or before December 1, 1912, and on or before the first day of July of each year thereafter, to submit to such county board or other proper authority a report of all cases receiving relief under this act, and an estimate of the sum necessary to be placed at its disposal for complying with the provisions of this act. A copy of such report shall be filed with the State board of charities and corrections. If the State home is unable to provide any child with a family home through voluntary adoption within six months from the time of its commitment, then as far as possible and if for the best interest of the child it shall be its duty to provide for the boarding out of said child in a suitable family home until such time as it may be adopted or shall have reached the age of sixteen years. Petitions and commitments under this act shall state the religious belief of parents, if known, and if not known the court shall endeavor to ascertain such fact, and family homes to which children are committed shall, as far as practicable, conform to such religious belief. On or before December 1, 1912, and on each July 1st next thereafter, before the convening of the succeeding general assembly, it shall be the duty of the superintendent of said home to submit to the governor and the State board of charities and corrections a detailed report of such boarding out of said children in family homes and an estimate as near as may be of the annual sum necessary for the maintenance of said boarding-out system and visitation officers employed by said State home in connection therewith. The governor shall transmit such estimate to such succeeding general assembly, which is hereby directed by the people of this State to appropriate from the State treasury a sum sufficient for the boarding out and visitation of said children, and otherwise carrying into effect the provisions of this act. Any of said courts enforcing the provisions hereof shall have the right to proceed as for contempt of court against officials who willfully refuse to comply with its orders directing their compliance with the provisions hereof; provided the sums paid out under this act shall not exceed



in any year the amount appropriated for such purpose by the county, city and county, or State authorities respectively. In counties having a population of over 20,000, the boards of county commissioners, and in cities and counties operating under Article XX of the constitution, the authority performing like duties to those of county commissioners, shall establish and maintain workhouses or proper facilities for the detention and employment of men convicted of nonsupport of women and children. Any sums of money earned by them or collected for their labor by the authorities in charge of such workhouses or facilities shall be used for the maintenance of the fund necessary to be expended by the county or city and county in carrying out the provisions of this act. The board of commissioners of the State penitentiary and reformatory shall make such similar provision as to said board seems most practicable to profitably employ all persons committed to such prisons for nonsupport of women or children, and any sums received for such labor shall be used for the maintenance of the fund provided by the State for compliance with the provisions of this act. This act shall be liberally construed for the protection of the child, the home and the State, and in the interest of public morals and for the prevention of poverty and crime.

Effective January 22, 1913.

"During the first six months of the operation of this act but four counties made appropriations to meet the requirements of the law, to wit: Arapahoe, Denver, Douglas, and Weld. The total amount appropriated for the use of the courts was \$6,110, of which amount Denver set aside \$4,800. During the six months ending with June 30, 1913, 63 applications, involving 187 children, were filed; 32 applications, involving 99 children, were allowed; 26 applications, involving 66 children, were denied; and 5 applications, involving 22 children, were pending at the close of June 30, 1913. Of 32 applications allowed, the mothers only were heads of the families. Eight of the applications allowed were of families deserted by the fathers." (Colorado State Board of Charities, Quarterly Bulletin, Jan., 1914.

In Denver, pensions were granted to 28 families, but 2 were soon withdrawn by reason of the marriage of the mothers. The 26 on the list in December, 1913, had altogether 97 children and a monthly allowance of \$727, or an average of \$7.50 per child. Of these mothers, 16 were widows, 8 deserted wives, 1 the wife of a hopeless invalid, and 1 had a husband in the penitentiary. For an account of the operation of the law in Denver, see article on "Administering mothers' pensions in Denver," by Gertrude Vaile, supervisor of relief, department of public charities, Denver, in *The Survey* for Feb. 28, 1914.

#### IDAHO.

[Laws 1913, chap. 73.]

An Act To provide for the assistance and support of poor women whose husbands are dead or are inmates of the Idaho State penitentiary and who have a child or children dependent for support wholly or partly upon their labor; and conferring jurisdiction thereof upon probate courts.

*Be it enacted by the Legislature of the State of Idaho:* SECTION 1. *Aid to needy mothers.*—The probate judge of each county shall have authority as hereinafter provided to make provision for the partial support of women whose husbands are dead, or whose husbands are prisoners, confined in the Idaho State penitentiary, when such women are poor and are the mothers of children under the age of fifteen (15) years, and such mothers and children reside in such counties.

SEC. 2. *Amount of allowance.*—The allowance of each of such women shall not exceed ten dollars (\$10.00) a month when she has but one child under the

age of fifteen (15) years, and if she has more than one child under the age of fifteen (15), it shall not exceed the sum of ten dollars (\$10.00) a month for the first child and five dollars (\$5.00) a month for each of the other children under the age of fifteen years.

SEC. 3. *Conditions of allowance.*—Such allowance shall be made by the probate court and only upon the following conditions: (1) The child or children, for whose benefit the allowance is made, must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance, she will be able to remain at home with her children; (3) the mother must, in the judgment of the probate court, be a proper person, physically and mentally, for the bringing up of her children; (4) such allowance shall, in the judgment of the court, be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance: *Provided*, That the provisions of this act shall not apply to any child which has property of its own sufficient for its support.

SEC. 4. *Allowance paid out of county funds.*—Whenever the probate court shall determine that an allowance under this act shall be made, it shall make an order to that effect which order, among other things, shall set out in full the name of the mother, her place of residence, the names and ages of each of the children, and the amount allowed to each child, and upon presentation of such order, the county commissioners shall direct monthly warrants to be drawn therefor, which warrants shall be paid from the general funds of the county.

SEC. 5. *When allowance shall cease.*—Whenever any child shall reach the age of fifteen (15) years, any allowance made to the mother of such child for the benefit of such child shall cease. The probate court may, in its discretion, at any time before such child reaches the age of fifteen (15) years, discontinue or modify the allowance to any mother and for any child. If such husband shall have been confined in the Idaho State penitentiary, such allowance shall cease on his discharge or parole and whenever any woman on whose account any allowance shall have been made under the provisions of this act, shall marry, such allowance shall cease.

SEC. 6. *To whom law does not apply.*—The provisions of this law shall not apply to any woman, whose husband is not dead or who is not confined in the Idaho State penitentiary.

SEC. 7. *Penalty for fraud.*—Any person procuring, or attempting to procure, any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail, for a period of not more than one year, or by both fine and imprisonment.

SEC. 8. *Motion to set aside allowance.*—In each case where an allowance is made to any woman under the provisions of this act a judgment entry to that effect shall be entered upon the records of the probate court making such allowance and it shall be the right of any tax-paying citizen at any time to file a motion to set aside such judgment, and on such motion the probate judge shall hear evidence without a jury and his decision shall be final.

SEC. 9. *Repeal.*—All acts and parts of acts in conflict with this act, are, in so far as they conflict, hereby repealed.

Approved March 5, 1913.

## ILLINOIS.

[Laws 1913, pp. 127-130.]

An Act To provide for the partial support of mothers whose husbands are dead or have become permanently incapacitated for work by reason of physical or mental infirmity, when such mothers have children under fourteen years of age, and are citizens of the United States of America and residents of the county in which application for relief is made. And, also, to provide for the probationary visitation, care and supervision of the family for whose benefit such support is provided.

*Be it enacted by the people of the State of Illinois, represented in the general assembly:* SECTION 1. *Jurisdiction.*—The juvenile court, or where there is no juvenile court, the county court in the several counties in the State, shall have original jurisdiction in all cases coming within the terms of this act.

SEC. 2. *Application for relief.*—A woman whose husband is dead or whose husband has become permanently incapacitated for work by reason of physical or mental infirmity, may file an application for relief under this act, provided such woman is a citizen of the United States of America and has a previous residence for three years in the county where such application is made and is the mother of a child or children.

SEC. 3. *Official investigation and report.*—Whenever an application for relief is filed the home of the applicant shall be visited by an officer of the court having jurisdiction of the matter, and the facts set forth in such application shall be investigated by such officer under the direction of the court, and a report and recommendation of the approval or disapproval of such application shall be made in writing by such officer to the court without any unnecessary delay.

SEC. 4. *Petition, form of.*—After the investigation of such application for relief by an officer of court and the filing of the report and recommendation thereon of such officer, such officer of court or any reputable and responsible person who has a residence in the county may file with the clerk of the court having jurisdiction of the matter, a petition in writing duly verified by affidavit setting forth such facts as are necessary under this act to give the court jurisdiction of the parties and of the subject matter, and setting forth such other facts, which, when found by the court to be true, shall be the basis upon which, the order of relief is entered. It shall be sufficient that the affidavit is upon knowledge, information and belief. A separate petition shall be filed for each child. The mother of such child and the county board of the county in which the petition is filed shall be made parties respondent to such petition.

SEC. 5. *Summons.*—Upon the filing of such petition a summons returnable not less than three days nor more than ten days after the date thereof shall issue to the respondents named in such petition requiring the mother with such child and all the respondents to appear at a place and time stated in the summons, which time shall be on the return day of such summons.

SEC. 6. *Service.*—Service of summons shall be made in the same manner as is provided for the service of a summons in an act entitled "An act to regulate practice in courts of chancery," approved March 15, 1872, in force July 1, 1872.

SEC. 7. *New process.*—Whenever process shall not be returned executed on or before the return day thereof, the court may direct the clerk to issue an *alias*, *pluries* or other process, returnable at a time ordered by the court.

SEC. 8. *Appearance—Hearing.*—The filing of a written appearance by a respondent shall render the service of summons on such respondent unnecessary. The court shall proceed to hear the cause upon the return day of the summons or upon a day thereafter to be fixed by the court without the formality of the



respondents filing answers: *Provided*, All the respondents have either been served with summons or have their written appearance in said cause.

SEC. 9. *Hearing—Order of payment—Duty of county board.*—Upon the hearing in court of a petition under this act, the court, being fully advised in the premises finding the facts alleged in the petition to be true, may make an order upon the county board of the county to pay to the mother of the child or children in whose behalf the petition or petitions are filed an amount of money necessary to enable such mother to properly care for such child or children. It thereupon shall be the duty of the county board, through its county agent or otherwise, to pay to such mother at such times as said order may designate the amount so specified for the care of such child or children until the further order of the court.

SEC. 10. *Amount of allowance.*—The allowance made to such mother shall not exceed fifteen dollars per month when such mother has but one child under the age of fourteen years, and if she has more than one child under such age, the relief granted shall not exceed ten dollars per month for each of the other children: *Provided*, That in no event shall the relief granted for any one mother and children exceed the sum of fifty dollars per month.

SEC. 11. *Conditions upon which relief is granted.*—Such relief shall be granted by the court only upon the following conditions:

(1) The child or children for whose benefit the relief is granted must be living with the mother of such child or children; (2) the court must find that it is for the welfare of such child or children to remain at home with the mother; (3) the relief shall be granted only when in the absence of such relief the mother would be required to work regularly away from her home and children and when by means of such relief she will be able to remain at home with her children, except that she may be absent for work a definite number of days each week to be specified in the court's order, when such work can be done by her without the sacrifice of health or the neglect of home and children; (4) such mother must, in the judgment of the court, be a proper person, physically, mentally and morally fit to bring up her children; (5) the relief granted shall, in the judgment of the court, be necessary to save the child or children from neglect; (6) a mother shall not receive such relief who is the owner of real property or personal property other than the household goods; (7) a mother shall not receive such relief who is not a citizen of this country and who has not resided in the county where the application is made at least three years next before making such application; (8) a mother shall not receive such relief if her child or children have relatives of sufficient ability to support them.

SEC. 12. *Relief for child between 14 and 16 years.*—Whenever any child shall arrive at the age of fourteen years any relief granted to the mother for such child shall cease: *Provided*, If a child of fourteen years of age be ill or is incapacitated for work, the mother shall receive funds for his care during such illness or incapacity for work until such child is sixteen years of age. The court may, in its discretion, at any time before such child reaches the age of fourteen years, modify or vacate the order granting relief to any mother and for any child.

SEC. 13. *Presence of husband.*—Whenever relief is granted or is about to be granted to a mother whose husband is permanently incapacitated for work by reason of physical or mental infirmity and the presence of such husband in the family is a menace to the physical and moral welfare of the mother or children, then the court may require that such husband be removed from the home and provision for his care made elsewhere, or failing to remove such husband or upon his refusal to be separated from his family, the court may, in its discretion, vacate the order granting relief, or refuse the relief asked for.

SEC. 14. *Probation officers—Their pay.*—The court having jurisdiction in proceedings coming within the provisions of this act shall have the power to appoint one or more qualified persons of good character, who shall serve and be known as probation officers, during the pleasure of the court, and who shall be paid a suitable compensation by the county for their services, the amount thereof to be determined by the county board.

SEC. 15. *Duty of probation officers.*—It shall be the duty of such officers to investigate all applications for relief and make a written report of such investigation with their recommendations.

After granting of relief to any mother for the support of her children it shall be the further duty of such officers to visit and supervise, under the direction of the court, the families to which such relief has been granted and to advise with the court and to perform such other duties as the court may direct in order to maintain the integrity of the family and the welfare of the children.

SEC. 16. *Levy of tax—Limitation.*—The county board in each county shall levy a tax of not to exceed three-tenths of one mill on the dollar annually on all taxable property in the county, such tax to be levied and collected in like manner with the general taxes of the county, and to be known as a mothers' pension fund: *Provided*, That said tax shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an act entitled "An act concerning the levy and extension of taxes," approved May 9 1901, in force July 1, 1901, and acts amendatory thereof.

SEC. 17. *Partial relief.*—Should the fund herein authorized be sufficient to permit an allowance to only a part of the mothers coming within the provisions of this act, the court shall select, in its discretion, those in most urgent need of such allowance.

SEC. 18. *Penalty for fraud.*—Any person or persons fraudulently attempting to obtain or fraudulently obtaining any allowance for relief under this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than five dollars nor more than two hundred dollars, or imprisoned in the county jail for a period of not to exceed six months, or both.

SEC. 19. *Repeal.*—All acts or parts of acts inconsistent herewith are hereby repealed.

Approved June 30, 1913.

#### OPERATION OF LAW IN COOK COUNTY.

The above act supersedes the "funds to parents act" of June 5, 1911, which provided that:

"If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents, at such times as said order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court." (Laws 1911, pp. 126-127.)

The difficulties that attended the inauguration of this law in Cook County (the only county to take advantage of the act) are described in detail by Mr. C. C. Carstens in his report for the Russell Sage Foundation ("Public pensions to widows with children; a study of their administration in several American cities." New York, 1913.) Because of the magnitude of the task involved in administering the new aid in the peculiarly difficult situation that then existed in connection with the juvenile court at Chicago, Judge Merritt C. Pinckney called to his aid the leading charitable organizations, who detailed five experienced workers (given commissions by the court as voluntary probation officers) to act with the chief probation officer of the court and his deputy as a case committee to sift the facts in the pension cases and make recommenda-







## FORMS USED IN JUVENILE COURT OF COOK COUNTY (CHICAGO)—Continued.

## REPORT OF INVESTIGATOR—continued.

Agencies and persons interested.	Address.	Capacity.	Date.	Disabilities.	Of No.	Date.
				Accident.....		
				Chronic physical disability.....		
				Epilepsy.....		
				Insanity.....		
				Subnormal mind.....		
				Industrial accident.....		
				Occupational disease.....		
				Tuberculosis.....		
Institutional care of.		Of No.	Date.			
				Venereal disease.....		
				Maternity.....		
				Imprisonment.....		
				Death.....		

## DATE OF GRANT.

Date of grant .....

Docket No.	Income from fund.	Income from family.	Income from relatives.	Income from all other sources.

Order of the court, ———.

## DEPENDENT PETITION.

State of Illinois, county of Cook, ss. In the circuit (juvenile) court of Cook County. \_\_\_\_\_, Term 19—.

To the honorable, the judges of the circuit court of Cook County, in chancery sitting:

1. Your petitioner, \_\_\_\_\_, respectfully represents unto your honors that your petitioner is a reputable and responsible person and a resident of said county. Your petitioner further represents that \_\_\_\_\_ is a female child under fourteen years of age and of the age of \_\_\_\_\_ years on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19—, now within the said county, and is a dependent child in this, that —he has not sufficient means of subsistence.

2. Your petitioner further represents that said child is living with its mother, \_\_\_\_\_; that her residence is \_\_\_\_\_; that the father of said child is (a) dead (b) permanently incapacitated for work by reason of physical or mental infirmity.

3. Your petitioner further shows that \_\_\_\_\_, the mother of said child, is a citizen of the United States of America and a resident of said county for three years next before the date of the application for relief upon which this petition is based: that she is a proper person, physically, mentally, and morally fit to bring up said child and that she does not own any real or personal property other than the household goods; that she is poor and unable without financial aid and assistance to properly care for the said child, but is otherwise a proper guardian of said child, and the relief prayed for herein is necessary to save said child from neglect.

4. Your petitioner further represents that said child has no relatives of sufficient ability to support it.

5. Your petitioner further represents that it is for the welfare of said child and for the best interests of the people of the State of Illinois that said child should remain at home with its mother.

6. Your petitioner prays that the said \_\_\_\_\_ and the board of commissioners of Cook County, Illinois, and each of them who are hereby made parties defendant hereto, be required to personally be and appear before this honorable court on the \_\_\_\_\_ day of \_\_\_\_\_, 19—, at the hour of \_\_\_\_\_ m., and then and there have said child in open court and answer this petition forthwith, and show, if they or either of them can, why the said child should not be and remain a ward of this honorable court, and that upon the hearing of this cause this honorable court will order and direct the board of commissioners of Cook County, Illinois, through the county agent, or otherwise, to provide and furnish to the mother of said child such necessary financial aid and assistance as will enable her to properly care for the said child at home, and that this

honorable court will make such other orders in regard to the visitation and supervision of said child as may be necessary to maintain the integrity of the family home and the welfare of the said child, and make such other and further orders in this cause as to your honors shall seem meet and according to equity and good conscience and according to the statute in such case made and provided.

May it please your honors to grant unto your petitioner the writ of summons out of chancery, directed to the sheriff or any probation officer of said county therein, and thereby commanding him to summon the said defendant, \_\_\_\_\_, and the board of commissioners of Cook County, Illinois, to personally be and appear before this honorable court on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, at the hour of \_\_\_\_\_, and that they then and there have said \_\_\_\_\_ in open court.

\_\_\_\_\_, Attorney for Petitioner.

State of Illinois, county of Cook, ss.

\_\_\_\_\_, being first duly sworn, deposes and says that affiant has read the above and foregoing petition by affiant subscribed and knows the contents thereof, and that the same is true to the best of affiant's knowledge, information, and belief.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_.

\_\_\_\_\_, Clerk.

#### SUMMONS.

State of Illinois, Cook County, ss. In the circuit court of Cook County (juvenile court).

*The people of the State of Illinois, to the sheriff or any probation officer of Cook County, greeting:*

We command that you summon \_\_\_\_\_ and all whom it may concern, if -he- shall be found in your county, personally to be and appear before the circuit court of Cook County before the honorable \_\_\_\_\_, one of the judges thereof, designated to hold and holding juvenile court thereof, in the juvenile court room at the courthouse, in room 1007, in Chicago, in said county of Cook, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 191\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m. to answer unto the petition of \_\_\_\_\_ heretofore filed in the office of the clerk of said court, alleging that \_\_\_\_\_, now in the custody and control of the said \_\_\_\_\_, is a dependent child and that -he- then and there have the said child in open court.

And have you then and there this writ, with an endorsement thereon in what manner you shall have executed the same.

Witness, \_\_\_\_\_, clerk of the said court, and the seal thereof, this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_.

\_\_\_\_\_, Clerk.

Served this writ on the within named \_\_\_\_\_ by reading the same to \_\_\_\_\_ and at the same time delivering a copy thereof to \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 191\_\_\_\_.

Served this writ on the within named \_\_\_\_\_ by leaving a copy thereof at \_\_\_\_\_ usual place of abode, with \_\_\_\_\_, a member of \_\_\_\_\_ family of the age of ten years and upwards, at the same time informing \_\_\_\_\_ of the contents thereof.

The other within-named defendants not found in my county.

#### APPEARANCE OF PRESIDENT OF COUNTY BOARD.

State of Illinois, county of Cook, ss. In the circuit court of Cook County.

In the matter of \_\_\_\_\_ (alleged dependent), juvenile No. \_\_\_\_\_, I, \_\_\_\_\_, president of the county board, do hereby enter my appearance herein waiving service of notice.

#### HISTORY SHEET.

Name of child \_\_\_\_\_, Age \_\_\_\_\_, Father's name, nationality, and creed \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, Address \_\_\_\_\_, Mother's name, nationality, and creed \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, Address \_\_\_\_\_, Mother's earning capacity \_\_\_\_\_, \_\_\_\_\_, Probation Officer.

#### ORDER ON COUNTY BOARD TO GRANT RELIEF.

#### DECREE, DEPENDENT \_\_\_\_\_ ON PROBATION.

CHICAGO, \_\_\_\_\_, 191\_\_\_\_.

In the matter of \_\_\_\_\_, juvenile No. \_\_\_\_\_.

This cause now coming on to be heard upon the petition for relief filed herein and the appearance of the defendants, the board of commissioners of Cook County, Illinois, and \_\_\_\_\_, and the child \_\_\_\_\_, being now here in open court in his own proper person, and the defendants, the board of commissioners of Cook County, Illinois, and \_\_\_\_\_, being also here in open court, and the court having heard all the evidence adduced and being fully advised in the premises, finds:

That it has jurisdiction of all the parties to this cause and the subject matter hereof: that the petitioner is a reputable person and a resident in the County of Cook and State of Illinois, and that \_\_\_\_\_ is a female person under the age of fourteen years and of the age of \_\_\_\_\_ years on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, now within said county and living with its mother, and is a dependent child in this that it has not sufficient means of subsistence as alleged in the petition herein.

The court further finds that the father of said child is (a) dead; (b) permanently incapacitated for work by reason of physical or mental infirmity; that ————, mother of said child, is a citizen of the United States of America and is and has been a resident of said county for three years next before the date of the application for relief herein and that she is a proper person physically, mentally, and morally fit to bring up said child; that she does not own any real or personal property other than the household goods; that she is poor and unable without financial aid and assistance to properly care for said child, but is otherwise a proper guardian of said child, and that the relief prayed for herein necessary to save said child from neglect.

The court further finds that all the material allegations in the petition herein are true and proven as therein alleged.

The court further finds that it is for the welfare of said child and for the best interest of the people of the State of Illinois that said child should remain at home with its mother.

And the court further finds upon testimony heard in open court that the sum of ———— dollars per month is the amount of money necessary to enable the mother to properly care for said child at home.

It is, therefore, ordered that the said ———— be and remain a ward of this court and that said ward go hence and be and remain with ————, mother of said child, subject to the friendly visitation and supervision of the chief probation officer of this court or such assistant probation officer of this court as may from time to time be designated by him.

It is further ordered, adjudged, and decreed that the sum of ———— dollars per month be, and hereby is, fixed by the court as the amount of money necessary to enable the mother to properly care for said child at home, and that the board of commissioners of Cook County, Illinois, through its county agent, or otherwise, be, and hereby is, directed and ordered to pay to ————, mother of said child, the sum of ———— dollars per month, beginning ————, until further order of court.

And the court hereby retains jurisdiction of this cause for the purpose of making such further or other orders herein for the welfare of said child as may from time to time be found to be in accordance with equity and in accordance with the statute in such case made and provided.

Enter ————.

*Judge of the Circuit (Juvenile) Court of Cook County, Illinois.*

#### IDENTIFICATION CARD.

[Made out in triplicate in 3 colors; red one given to woman, yellow to county agent, white filed in funds department.]

Present this card at office of Cook County agent, 213 So. Peoria Street, on the 5th day of each month.

#### IDENTIFICATION.

In the matter of ————, juvenile No. ————.

(Reverse side.)

(Signature of parent.)

CHICAGO, ————.

*County Agent of Cook County, Illinois.*

DEAR SIR: I hereby certify that the foregoing is the signature of Mrs. ————, who by order of the juvenile court entered on the ———— day of ————, A. D. 19—, is entitled to relief under the "funds to parents act" for h— above-named children.

*Chief Probation Officer of the Juvenile Court.*

#### IDENTIFICATION CARD.

[Used for purpose of registration with other departments of the court.]

Surname ————. Date of first report ————.

First names.		Address.	Dept.	Officer.
1. F	6.			
2. M	7.			
3.	8.			
4.	9.			
5.	10.			

#### OTHER REPORTS.

Dates.	Name of child complained of.	Address.	Dept.	Officer.



## SCHOOL STANDING AND ATTENDANCE BLANK, ——— SCHOOL.

CHICAGO, ILL., ———, 19—.

In the matter of ———. Address ———.

The records of this school for the month ending ———, 19—, in the case of the above-named child show the following:

Attendance { Absences excused ———.  
Absences unexcused ———.

Scholarship ———.  
Department ———.  
Grade ———.

Remarks ———.

(Signed) ———, *Principal*.

## PARTIAL REPORT OF INVESTIGATION ON COMPLAINT NO. ———.

Date, ———, 191—.

Name ———. Address ———. Parties consulted and information received ———.

———, *Probation Officer*.

## REPORT OF WORK DONE IN THE CASE OF PAROLED WARD.

Date, ———.

Name.	Docket number.	Address.

———, *Probation Officer*.

## DAILY REPORT OF HOURS OF SERVICE.

(This report must be sent so that the chief probation officer will receive it in the morning's first mail.)

———, 191—.

Began work, ——— m. Location, ———. Stopped work, ——— m. Location ———.

Lunch, ——— m. to ——— m.

Appointments (time and place that you can be reached by 'phone), ———.

———, *Probation Officer*.

## NOTICE AFTER PROBATION TO HAVE CAUSE SET FOR HEARING.

State of Illinois, county of Cook, ss. In the circuit court of Cook County (juvenile court).

In the matter of ———, ———. Juvenile No. ———.

To ———, ———, defendants in above-entitled cause:

Please take notice that on ———, the ——— day of ———, A. D. 191—, at the hour of ——— m., or as soon thereafter as I can be heard, before his honor, Judge ———, at his court room in the Juvenile Courthouse, 771 Ewing Street, in Chicago, in said county, I shall ask that the above cause be set down for hearing on ———, the ——— day of ———, A. D. 191—, at the hour of ——— m., and for a rule upon you that you then and there have ——— in open court; at which time and place you may appear if you see fit.

Served the within notice on the within-named ———, ———, ———, defendants, by reading same to ———, at the same time delivering a copy thereof to ——— this ——— day of ———, 191—.

———.

## ORDER SETTING CAUSE FOR HEARING.

In the matter of ———. Juvenile No. ———.

On motion of ——— and proof of due notice of motion to the defendants herein it is ordered that this cause be set down for hearing on ———, the ——— day of ———, A. D. 19—, at the hour of ——— m., and it is further ordered that ——— day of ———, ———, defendants, have the said ——— in open court at said time.

Enter ———, ———, *Judge*.

## ORDER INCREASING OR DECREASING GRANT PREVIOUSLY ALLOWED.

State of Illinois, county of Cook, ss. In the circuit (juvenile) court of Cook County.

In the matter of ———, a dependent. Juvenile No. ———.

This cause duly coming on for a hearing and it appearing to the court that it has jurisdiction of all the parties to this cause and the subject matter hereof;

And it further appearing to the court from the evidence that the sum of ——— dollars per month heretofore fixed by the court as the amount of money necessary to enable the defendant parent herein to properly care for the above-named child at home is ——— sufficient for that purpose:

It is therefore ordered that the order of payment (under the funds to parents act) heretofore on the \_\_\_\_ day of \_\_\_\_, 19\_\_\_\_, entered herein, be, and the same is hereby, amended so that from and after the \_\_\_\_ day of \_\_\_\_, 19\_\_\_\_, the same shall read as follows, to wit:

It is therefore ordered, adjudged, and decreed that the sum of \_\_\_\_ dollars per month be, and hereby is, fixed by the court as the amount of money necessary to enable the parent to properly care for said child at home and that the board of commissioners of Cook County, Illinois, through its county agent or otherwise, is hereby directed and ordered to pay to \_\_\_\_, parent, the sum of \_\_\_\_ dollars per month, beginning \_\_\_\_, until further order of court.

Enter \_\_\_\_, \_\_\_\_, \_\_\_\_, Judge.

#### NOTICE OF MOTION TO STAY PAYMENT.

State of Illinois, county of Cook. In the circuit (juvenile) court of Cook County, Illinois.

In the matter of \_\_\_\_, Juvenile No. \_\_\_\_.

To \_\_\_\_, and \_\_\_\_, defendants in the above entitled cause:

Please take notice that on \_\_\_\_ the \_\_\_\_ day of \_\_\_\_, A. D. 19\_\_\_\_, at the hour of \_\_\_\_ m., or as soon thereafter as I can be heard before his honor, Judge \_\_\_\_, at his court room at the courthouse in room 1007, in Chicago, in said county, I shall move the court to stay further payment under the "funds to parents act" under the order heretofore on the \_\_\_\_ day of \_\_\_\_, A. D. 19\_\_\_\_, entered herein at which time and place you may appear if you see fit.

Served the within notice on the named \_\_\_\_, \_\_\_\_, defendants, by reading the same to \_\_\_\_, at the same time delivering a copy thereof to \_\_\_\_, this \_\_\_\_ day of \_\_\_\_, 19\_\_\_\_.

[The above notice is also used for the increasing or decreasing of funds after first grant and for continuing funds after child is 14 years old, if incapacitated.]

#### ORDER STAYING PAYMENT.

State of Illinois, county of Cook, ss. In the circuit (juvenile) court of Cook County.

In the matter of \_\_\_\_, Juvenile No. \_\_\_\_.

This day comes \_\_\_\_ and enters herein his motion to stay further payment under the funds to parents act under the order heretofore on the \_\_\_\_ day of \_\_\_\_, 19\_\_\_\_, entered herein.

And thereupon this cause coming on to be heard on said motion and it appearing to the court that due service of said motion has been had on the defendants \_\_\_\_, \_\_\_\_, and said defendants \_\_\_\_, being now here in open court \_\_\_\_.

The court after hearing all the evidence adduced and being fully advised in the premises hereby sustains said motion.

It is therefore ordered that further payment under the "funds to parents act" by order of court heretofore on the \_\_\_\_ day of \_\_\_\_ entered herein be, and the same is hereby stayed until further order of court and this cause hereby stands continued.

Enter \_\_\_\_, \_\_\_\_, \_\_\_\_, Judge.

#### IOWA.

[Supplement to Code 1907, as amended by Laws 1909, chap. 13; Laws 1913, chap. 31.]

**SECTION 254-a13. Jurisdiction.**—The district court and superior courts are hereby clothed with original and full jurisdiction to hear and determine all cases coming within the purview of this act, and the proceedings, orders, findings and decisions of said courts shall be entered in a book or books to be kept for the purpose and known as the juvenile court record. Said courts shall always be open for the transaction of business coming under the purview of this act, but the hearing of any matter requiring notice shall be had only in term time or at such time and place as the judge may appoint.

**SEC. 254-a15. Petition.**—Any reputable person being a resident of the county, having knowledge of a child in his county who appears to be either dependent, neglected or delinquent, may, without fee, file with the clerk of the court having jurisdiction of the matter, a petition in writing, setting forth the facts, verified by affidavit; it shall be sufficient if the affidavit is upon information and belief.

**SEC. 254-a16. Summons.**—Upon the filing of the petition the court may cause a summons to issue requiring the person having custody or control of the child or with whom the child may be, to appear with the child at a time and place stated in the summons. The parents of the child, if living, and their residence

is known, or its legal guardian, if one there be, or if there is neither parent nor guardian or if his or her residence is not known, then some relative, if there be one and his residence is known, shall be notified of the proceedings, and in any case the judge may appoint some suitable person to act in behalf of the child. \* \* \* On the return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. \* \* \*

SEC. 254-a18. *Probation officers.*—The court shall have authority to appoint or designate one or more discreet persons of good character to serve as probation officers \* \* \*. In case a probation officer shall be appointed by any court, it shall be the duty of the clerk of the court, if practicable, to notify the said probation officer in advance when any child is to be brought before the said court; it shall be the duty of said probation officer to make such investigation as may be required by the court; to be present in court in order to represent the interests of the child when the case is heard; to furnish to the court such information and assistance as the judge may require \* \* \*.

SEC. 254-a20. *Dependent children—Custody—Aid to poor mothers.*—When any child of the age stated in section two (2), hereof, shall be found to be dependent or neglected, within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution, or to the care of some reputable citizen of good moral character, or to the care of some industrial school, as provided by law, or to the care of some association willing to receive it, embracing in its objects the purpose of caring for and obtaining homes for dependent and neglected children, which association shall have been accredited as hereinafter provided.

If the court finds that the mother of such dependent or neglected child is a widow, and if the court further finds that such mother is poor and unable to properly care for said child, but is otherwise a proper guardian, and that it is for the welfare of such child to remain at home, the court may enter an order finding such fact and fixing an amount of money necessary to enable such mother to properly care for such child, and thereupon it shall be the duty of the county board of supervisors, through its overseer of the poor or otherwise, to pay to such mother, at such times as said order may designate, the amount so specified for the care of such dependent or neglected child until further order of the court: *Providing, however,* That the amount to be paid for the care of any such child shall not exceed the sum of two dollars per week: *And provided further,* That such payment shall cease upon any such child attaining the age of fourteen years. Any mother whose husband is an inmate of any institution under the care of the board of control, shall, for the purposes of this act, be considered a widow, but only while such husband is so confined. [Amendment approved April 19, 1913. Laws 1913, chap. 31.]

The court may, when the health or condition of the child may require it, cause the child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution which will receive it for like purposes without charge.

#### MASSACHUSETTS.

[Laws 1913, chap. 763.]

An Act To provide for suitably aiding mothers with dependent children.

*Be it enacted, etc., as follows:* SECTION 1. *Aid to mothers with dependent children.*—In every city and town the overseers of the poor shall, subject to the provisions of the subsequent sections of this act, aid all mothers with depend-

ent children under fourteen years of age, if such mothers are fit to bring up their children. The aid furnished shall be sufficient to enable the mothers to bring up their children properly in their own homes; and such mothers and their children shall not be deemed to be paupers by reason of receiving aid as aforesaid.

SEC. 2. *Duties of overseers of the poor.*—Before aiding any mother under the foregoing section, except as hereinafter provided, the overseers of the poor shall determine that the mother is fit to bring up her children and that the other members of the household and the surroundings of the home are such as to make for good character, and that aid from the overseers is necessary to enable her to bring up her children properly, by making an immediate and careful inquiry including the resources of the family and the ability of its other members, if any, to work or otherwise contribute to its support, the existence of relatives able to assist the family, and of individuals, societies or agencies who may be interested therein; shall take all lawful means to compel all persons bound to support the mother and children to support them, and to enforce any other legal rights for their benefit; shall press all members of the family who are able to work, other than the mother and her dependent children, to secure work; shall try to secure work for them; and shall secure all necessary aid for the mother and children which can be secured from relatives, organizations or individuals. Nothing herein contained shall be construed to prevent the overseers from giving prompt and suitable temporary aid hereunder, pending compliance with the requirements of this section, when in their opinion such aid is necessary and can not be obtained from other sources. A detailed statement of expenses incurred under this section shall be rendered to the State board of charity, together with such certificates or other guaranties as the said board may require.

SEC. 3. The said overseers, either by one of their own number or by their duly appointed agent, shall visit at least once in every three months at their homes or other place or places where they may be living, each mother and her dependent children who are being aided financially or otherwise by said overseers, and after each visit shall make and keep on file as a part of their official records a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the measures taken and the advisability of their continuance; and said overseers shall at least once in each year reconsider the case of each mother with dependent children with whom they are dealing, and enter their determination with the reason therefor on their official records.

SEC. 4. *To whom act shall apply.*—This act shall apply to all mothers and their dependent children, whether or not they or any of them may have a settlement within the Commonwealth, who shall have resided in the Commonwealth not less than three years. No person shall acquire a settlement or be in process of acquiring a settlement while receiving aid hereunder.

SEC. 5. *State board of charity to have supervision.*—The State board of charity shall hereafter supervise the work done and measures taken by the overseers of the poor of the several cities and towns in respect to families in which there is one child or more under the age of fourteen, whether or not such family or any member thereof has a settlement within the Commonwealth; and for this purpose may establish such rules relative to notice as they deem necessary and may visit and inspect any or all families aided under this act, and shall have access to any records and other data kept by the overseers of the poor or their representatives relating to such aid; and said board shall, in its annual report to the legislature, report upon the work done by its own agents and by the overseers of the poor in respect to such families any of whose members are



without legal settlement in the Commonwealth; and shall make a separate report on the work done by the overseers of the poor in respect to such families in which all the members have a legal settlement in the Commonwealth.

SEC. 6. *Reimbursement by the Commonwealth.*—In respect to all mothers in receipt of aid hereunder the city or town rendering the aid shall be reimbursed by the Commonwealth, after approval of the bills by the State board of charity, for one-third of the amount of the aid given. If the mother so aided has no settlement, the city or town shall be reimbursed for the total amount of the aid given, after approval of the bills by the State board of charity as aforesaid. If the mother so aided has a lawful settlement in another city or town two-thirds of the amount of such aid given may be recovered in an action of contract against the city or town liable therefor in accordance with the provisions of chapter eighty-one of the Revised Laws and acts in amendment thereof and in addition thereto.

SEC. 7. *Appropriation.*—For the purpose of reimbursing the cities and towns, as provided in the foregoing section, there shall be appropriated from the treasury of the Commonwealth the sum of fifty thousand dollars for the operations of the first year.

SEC. 8. *Repeal.*—All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 9. *Time of taking effect.*—This act shall take effect on the first day of September, nineteen hundred and thirteen.

Approved June 12, 1913.

#### OPERATION OF LAW.

Prior to the passage of this act a commission to study the question of the support of dependent minor children of widowed mothers had been created by Resolves S2, Laws of 1912, and had made its report to the legislature. (Printed as H. Doc. 2075, 1913.) Included in the report (p. 37) is a draft of the bill recommended by the commission which differs from that enacted by the general court in that it provided for a State commission of five persons with authority to order payments, to be called subsidies, to be made by the overseers of the poor to indigent widowed mothers with dependent children. The law enacted gives the power of initiating aid to the overseers of the poor alone, as an extension of the system of local relief, with no limitations on the amount to be granted. The State board of charity has, however, general supervision of the work, and upon its approval of the bills thereby incurred the Commonwealth reimburses one-third on settled cases and the total amount on unsettled. The board is carrying out the mother's aid law through a woman supervisor and five woman visitors under the superintendent of the adult poor division of the board. The immediate guidance of the whole work is under one of the board's committees known as the social service committee. An account of the administration of the law, by Mrs. Ada E. Sheffield, the chairman of this committee, is given in the Survey for February 21, 1914. She summarizes the method of granting aid as follows:

"The mother makes application of the overseer of the poor in her place of residence. He investigates her need, fitness, and resources, filling out a blank form which the board has prepared for the purpose, and ending with his recommendation. This information and advice he sends in to the State board. The supervisor then assigns one of the five women visitors to make a second independent investigation, and reviews the recommendation of the overseer in the light of the two findings. The result of her study of the case, whether approval, disapproval, or suggestions on treatment, she embodies in a letter to the overseer in question. In the course of her work she is in constant conference with the superintendent of the adult poor division, a man who has the advantage of many years' acquaintance with the individual overseers. The chairman of the committee goes over cases that present some deviation from the usual types, while the committee itself considers special cases and all general questions of policy."



After three months' experience with the types of families recommended for aid by the overseers and after conferences with these officials the State board of charity drew up a following tentative statement of the general policies which should govern the granting of the new form of aid:

TENTATIVE STATEMENT OF GENERAL POLICIES GOVERNING NEW FORM OF AID.

COMMONWEALTH OF MASSACHUSETTS,  
STATE BOARD OF CHARITY,  
DIVISION OF STATE ADULT POOR.  
*State House, Boston, November 30, 1913.*

*Overseers of the poor.*

DEAR SIRS: Under the provisions of chapter 763, Acts of 1913, the State board of charity was given certain supervisory powers, and also control of rules relative to notices to and reimbursement by the Commonwealth. This law can not be successfully administered unless the overseers of the poor and this board work harmoniously. The board believes that relief should be administered according to general policies. Since the people who may benefit by this act will inevitably adapt their lives to the conditions under which they can receive help, they should know what these conditions are. The policies according to which public authorities administer the ample relief provided for in this law will have an educational influence, not only on the beneficiaries, but on all those families that are on the border line of need. This influence will be wholesome in proportion to the wisdom shown by the overseers and the State board of charity. While the board is becoming acquainted with the types of family problems which the overseers are considering under this act, it would be a serious mistake for us to suggest policies which might probably have to be reversed later. In some directions, however, the board can state its position at once.

From our observation of the families aided under the provisions of this act and our general knowledge of relief work, we believe it wise and necessary at this time to establish the following definite policies, and ask your cooperation in their application:

1. Aid granted should be of the kind best adapted to the needs of the individual family. In many cases a partial allowance of cash is desirable; but we would suggest that only in cases where the mother is intelligent and judicious should the full allowance be in cash. Cash allowances should be granted weekly, never monthly.

2. If there is illness in a family receiving relief under the provisions of chapter 763, Acts of 1913, which is temporary, requiring only medicine or a few doctor's visits, the medical relief or medicine should be granted under the provisions of the said act; but in cases of long-continued illness or illness requiring hospital treatment, notice should be sent under the provisions of section 14, chapter 85, Revised Laws. Reimbursement by the Commonwealth for medical attendance in the home will be made in accordance with the provisions of chapter 292, Acts of 1909.

3. Section 4 provides in part: "This act shall apply to all mothers and their dependent children, whether or not they or any of them may have a settlement within the Commonwealth, who shall have resided in the Commonwealth not less than three years." Families who have not resided in the Commonwealth for three years subsequent to September 1, 1910, should not be considered as coming within the provisions of the act. If such a rule were not established, many families who were residents of Massachusetts years ago would return from other States for the express purpose of becoming beneficiaries under the act.

4. The law contemplates aid for families under a constructive plan for a definite period, or until such time as the dependent children have attained the age of 14 years. Although the law provides *relief* and not *pensions*, the idea that animated its passage was that of granting to dependent mothers an income on which they may count while their children are below working age. The need which was urged before the legislature, the illustrative cases brought forward to emphasize that need, were both such as would continue through a period of years. Such a "regular allowance differs from most material relief in other particulars than in the size, or even the regularity, of the relief. It represents a settled plan requiring a specified sum per week, the mother being informed of the plan, relieved from worry, and thus put in a position to adjust

her expenses to her income." It seems wise for the present to consider only such cases as will, according to your best judgment, require relief for at least a period of one year. Other cases can be handled by private charities, by churches, or under the temporary aid law.

5. It is important that the law should not serve as a palliative for desertion. It therefore seems unwise to consider an application under this act until after one year has elapsed since the desertion occurred, and the mother has shown her desire to ameliorate conditions by requesting the court to issue a warrant for nonsupport under the provisions of chapter 456 of the Acts of 1911 and amendments thereto. We should use our influence to strengthen the sense of responsibility for children by making the lot of the deserting father less, and not more, eligible.

6. The mother should not discontinue her employment unless it is apparent her health is being impaired, or the children require more personal supervision. In many instances it may be desirable to arrange for a different kind of employment, or discontinuance of service for a portion of the week. There are undoubtedly relatives or other reliable persons living with many of these families who can give the dependent children proper attention during the mother's absence. To insist that the mother shall not work, regardless of home conditions, would tend to discourage that desire for thrift and independence which is an essential element in society. The policy should be stimulative, and constructive rather than destructive.

7. The board suggests that before granting aid to any mother with illegitimate children, the overseers consult with the superintendent of the division of State adult poor. The presumption is against aiding such mothers under this law, since to do so would offend the moral feeling of respectable mothers, and would thus do violence to a traditional sentiment that is inseparable from a respect for virtue.

8. If the applicant has funds to an appreciable amount, the State board of charity would appreciate a reference of the case for consideration prior to the granting of aid. The board believes that unless a definite protective plan can be formulated by the overseer whereby a certain amount can be dispensed by a trustee, or otherwise, according to the need of each individual case, the case should not be considered as coming within the provisions of the act.

9. If the applicant has an equity to an appreciable amount in the real estate upon which the family resides, the State board would appreciate a reference of the case for consideration before aid is granted.

10. To carry out the intent of this law, which applies only to those families providing a proper environment for the dependent children, the board decides that the presence of male lodgers presents dangers incompatible with the best interests of the family; and declines, as a rule, to reimburse in such cases. The board prefers, if necessary, to reimburse, in accordance with the law, for additional relief granted to meet the reduction of income caused by such removal.

Obviously, no one can draw an arbitrary line between a fit and an unfit mother. The extremes of fitness or unfitness all will agree upon; it is the doubtful cases about which questions would arise. Since this aid which the public gives is adequate, the board feels that we can ask a fairly high standard of character and home care from the mothers. With such a reward in view, it is a poor sort of woman who will not do well. The public authorities can make adequate relief a powerful lever to lift and keep mothers to a high standard of home care. If we grant the aid to any woman whose care of her children will just pass muster, we throw away a chance to make these women improve. If, on the contrary, we make relief under this law conditional on a fairly high standard of home care, we shall find that the mothers will rise to this standard. The fact is that a mother of little children who will not attend conscientiously to their diet, cleanliness, health, and conduct for the sake of an adequate income, steadier possibly than were her husband's wages, is not the sort of woman Massachusetts wants to help under this act.

In fine, possible and actual beneficiaries will adapt themselves to the conditions which attend the receipt of this relief. We can hardly exaggerate the beneficent influence which a relief policy, administered always with broad educational aims in mind, may exercise on the people of the State.

The board believes that effective help for the needy is conditional upon close and cordial cooperation between public and private charities. "Cooperation" between charities includes either or both of two sorts of relation: The agencies may divide among them the needy families, agreeing not to trespass on each

other's cases, or they may consult and work together on the same cases. A division of the field of work is a business arrangement often necessary to economy of effort. On the other hand, public and private charities need to consult with each other on the treatment of individual cases in order that each may profit by the other's point of view. The private charity that holds aloof becomes narrow, provincial; the public charity that tries to be sufficient unto itself ends by giving perfunctory care to its charges. Because of the privilege which private charities have of limiting the amount of their work, they can often exercise closer supervision over their cases than is possible to public visitors. Either associated charities, children's societies, district nursing associations, or churches may further the work of the overseers by visiting and by keeping the overseers informed of home conditions in the intervals of official visits.

If from your experience the above policies do not work out successfully, we would appreciate your suggestions or criticisms, either by discussion at the future meetings the board will hold with the local boards, by correspondence, or by personal interview with the superintendent of State adult poor.

We have also adopted the following rules relative to notices and submission of bills:

1. Whenever an original notice has been sent to the State board on Form 1471 or 1472 it will continue in force until the case is closed.

2. Reimbursement by the Commonwealth will be allowed for the five days prior to date of notice instead of 24 hours as previously stated.

3. Section 3 of said act provides: "The said overseers, either by one of their own number or by their duly appointed agent, shall visit at least once in every three months at their homes or other place or places where they may be living, each mother and her dependent children who are being aided financially or otherwise by said overseers, and after each visit shall make and keep on file as a part of their official records a detailed statement of the condition of the home and family and all other data which may assist in determining the wisdom of the measures taken and the advisability of their continuance; and said overseers shall at least once in each year reconsider the case of each mother with dependent children with whom they are dealing, and enter their determination with the reason therefor on their official records."

In order that the supervisory board may be constantly advised of conditions in the home and the continuance or discontinuance of aid, we have prepared a blank, substantially a renewal notice, which should be sent to the State board of charity after each quarterly visit of the overseers or their duly appointed agent, as provided in the above-quoted section. A statement has also been added to this blank providing for notification of the yearly reconsideration by the board of overseers.

Bills should be rendered to the Commonwealth for aid granted during the quarter ending November 30, 1913, the five months ending April 30, 1914, and every six months thereafter.

Bills should be rendered to city or town of legal settlement for two-thirds of the amount of such aid given in accordance with the provisions of section 6 of the said act. Sample forms of notices and bills are inclosed, and may be obtained from the usual source.

Very truly, yours,

\_\_\_\_\_, *Superintendent.*

## MICHIGAN.

[Laws 1913, No. 228.]

An Act To amend section seven of act number six of the Public Acts of the extra session of nineteen hundred seven, entitled "An act to define and to regulate the treatment and control of dependent, neglected and delinquent children: to prescribe the jurisdiction of the probate courts and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation," approved October twenty-four, nineteen hundred seven; to provide for the relief of poor mothers of dependent and neglected children.

*The people of the State of Michigan enact:* SECTION 1. Section seven of act number six of the Public Acts of the extra session of nineteen hundred seven,



entitled "An act to define and to regulate the treatment and control of dependent, neglected and delinquent children; to prescribe the jurisdiction of the probate courts and the powers, duties and compensation of the probate judges with regard thereto; to provide for the appointment of county agents and probation officers and to prescribe their powers, duties and compensation," approved October twenty-four, nineteen hundred seven, is hereby amended to read as follows:

SEC. 7. *Dependent children—Assistance to needy mothers.*—When any child under the age of seventeen years shall be found to be a dependent or neglected child within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution subject to the law and regulations governing such institution, or to the care of some reputable citizen of good moral character, or to the care of some training school, or industrial school, as such provided by law, to the care of some association willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been approved by the State board of corrections and charities: *Provided*, That if the mother of such dependent or neglected child is unmarried, or is a widow or has been deserted by her husband, or if married has been divorced, and is poor and unable to properly care and provide for said child, but is otherwise a proper guardian, and it is for the welfare of such child to remain in the custody of its mother, the court may enter an order finding such facts and fixing the amount of money necessary to enable the mother to properly care for such child; such amount not to exceed three dollars a week for each child. Thereupon it shall be the duty of the county treasurer of the county of which such child is a resident, to pay from the general fund of such county, to such mother, at such times as such order may designate, the amount so specified for the care of such dependent or neglected child until the further order of the court. Such order shall not require the approval of the board of supervisors or county auditor or auditors. The court shall, when the health or condition of the child shall require, cause the child to be placed in a public hospital or in an institution for treatment or special care, or in a private hospital or institution for special care or treatment, the expense to be paid from the general fund of the county of which the child is a resident.

Approved May 7, 1913.

The provisions of act No. 6 of the Public Acts of the extra session of 1907 which relate to the courts having jurisdiction and the method by which cases of dependent children are brought into court are as follows:

[Howell's Statutes, 1913; 11645, 11647, 11648.]

11645. SEC. 2. *Jurisdiction.*—The probate court shall have original jurisdiction in all cases coming within the terms of this act, and while proceeding under this act shall be termed juvenile division of the probate court. \* \* \* *Provided*, That in case the judge of probate in any county is so occupied with the duty devolving upon him in the probate court as not to have time to attend to the cases arising under this act and shall so certify to the circuit court, the circuit judge or one of them in districts where there is more than one circuit judge, to be designated by the judges of said court, shall hear the cases under this act provided to be heard by the judge of probate, but said circuit judge shall not exercise the powers of the probate court in such cases for a longer period than two months, unless a new certificate and designation be made, which shall, in like manner, be effective for a like period. \* \* \*



11647. SEC. 4. *County agents*.—The governor shall appoint in each county of this State, upon the recommendations of the State board of corrections and charities, an agent of such board for the care and protection of dependent, neglected and delinquent children, who shall hold his office during the pleasure of the governor, and shall be known as the county agent for the county for which he is appointed. \* \* \*

11648. SEC. 5. *Petition—Summons—Hearings*.—Upon the filing with the court of a sworn petition setting forth upon knowledge or upon information and belief, the facts showing that any child resident in said county is a delinquent, dependent or neglected child within the meaning of section one of this act, the court shall before any further proceeding is had in the matter give notice thereof to said county agent or to a duly appointed probation officer, who shall have opportunity allowed him to investigate the facts and circumstances surrounding the case, and upon receiving such notice the said officer shall immediately proceed to inquire into and make a full examination of the parentage and surroundings of the child and all the facts and circumstances of the case, and report the same to the said court in writing. If, after a full investigation, it shall appear to the court that public interest and the interest of the child will be best subserved thereby, a summons shall issue reciting the substance of the petition and requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time which shall be stated in the summons; and if such person is other than the parent or guardian of such child, then said parent or guardian shall be notified of the pendency of the case. The court shall notify the county agent or probation officer making the preliminary investigation to attend said trial and act as custodian of said child. \* \* \* On return of the summons or writ, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case upon such testimony as may be produced, and if the allegations against the child are proved the court may adjudge said child a delinquent, dependent or neglected child, as the case may be; and if it shall appear to the court that the public interests and the interest of such child will be best subserved thereby, he may make an order for the return of such child to his or her parents or guardian or friends. \* \* \*

An earlier law, passed in 1911, providing for relief out of school funds to children of indigent parents to enable them to attend school is apparently not superseded by the law enacted in 1913, which provides for the payment of relief out of the county funds. (Letter from State superintendent of public instruction, Dec. 24, 1913.) The text of this law is here given, as it differs from the usual form of school-aid law in that it provides for the payment of money for support in addition to books and clothing.

[Laws 1911, No. 198; Howell's Statutes, 1913; 3578-3581.]

An Act To provide means whereby children of indigent parents within school age, may attend school.

*The people of the State of Michigan enact: SECTION 1. Schooling of children of indigent parents*.—Any truant officer of this State when authorized by the board of education to investigate, and when satisfied that any child within his jurisdiction, required by law to attend school, is unable so to do by reason of the fact that the services of such child are absolutely required for the support of himself or herself, or to assist in the support or care of others legally entitled to his or her services, such person or persons being unable to support or care for themselves, such truant officer shall report the case to the board of education of the school district in which such child may reside, and such board of education shall be authorized to and may in their discretion grant such relief

as will enable the child to attend school during the entire school year. In all cases where such relief is necessary the said board of education shall be authorized to, and may in their discretion, furnish to such child the necessary textbooks free of charge, in addition to such other necessary assistance or support.

SEC. 2. *Payment to family.*—For the purposes in this act provided such board of education shall pay, during the school year, to the family of such child a sum not to exceed three dollars a week, nor more than six dollars a week for the children of any one family. Said money shall be paid in the same manner and out of the same fund as are the current expenses for the maintenance of public schools.

SEC. 3. *Duty of truant officer.*—It shall be the duty of the truant officer or treasurer of the school board in any district where a child is receiving aid under the provisions of this act to disburse the funds herein provided for, and to investigate the environment of the child, and to make an itemized report monthly to the school board or some officer appointed by the board, of the manner in which such funds were expended: *Provided*, That in cities having a juvenile court such investigations shall be made by such court.

SEC. 4. *Teacher to report.*—The truant officer shall notify the teacher to whom any child receiving aid under the provisions of this act may be assigned, and it shall be the duty of the teacher having charge of such child to report monthly to the school board through the superintendent of schools, the progress such child is making in his or her school work, and the record of attendance together with such other information as may be deemed necessary. Said truant officer shall receive the same compensation for the time so engaged under the provisions of this act as he receives for similar services performed by him and shall be paid in the same manner.

Approved April 29, 1911.

## MINNESOTA.

[Laws 1913, chap. 130.]

An Act Providing for the payment of county aid to mothers of dependent and neglected children under certain circumstances.

*Be it enacted by the Legislature of the State of Minnesota:* SECTION 1. *Allowance to needy mothers.*—Whenever any child under the age of fourteen years shall be found to be dependent or neglected within the meaning of chapter 285, General Laws 1905, or chapter 232, General Laws 1909, or chapter 27, Revised Laws 1905, and it shall also appear that the mother of such child is a widow, or that her husband, if living, is an inmate of a penal institution or an insane asylum, or because of physical disability is unable to support his family, and that the dependent or neglected condition of such child is due wholly or in part to the poverty of the mother and the want of adequate means to properly care for such child and that the mother of such child is otherwise a proper person to have the custody of such child and that the welfare and best interests of such child will be subserved by permitting it to remain in the custody of its mother, the court<sup>1</sup> may, in its discretion, make and file an order finding and determining such facts, and therein and thereby fix and determine the amount of money, not exceeding \$10.00 per month, which it deems necessary for the county to contribute towards the support of such child in her own home.

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<sup>1</sup>That is, the juvenile court in counties over 50,000. In counties under 50,000 the judge of probate has the power to appoint guardians for dependent, neglected, and delinquent children. Cases involving such children may be brought before the court by petition of any resident of the county.

SEC. 2. *Allowance paid out of general county funds.*—A certified copy of such order shall be filed with the county auditor of the county of which such child's mother is a resident, and thereupon and thereafter, and so long as such order remains in force and unmodified, it shall be the duty of the county auditor each month to draw his warrant on the general revenue fund of his county in favor of the mother for the amount specified in such order. Such warrant shall be delivered to the clerk of the court making the order and shall by the latter be delivered to the mother upon her executing duplicate receipts therefor, one to be retained by the auditor and the other shall be filed by the clerk with the other records in the proceedings relating to such child. It shall be the duty of the county treasurer to pay such warrant out of the funds in the general revenue fund of the county when properly presented. No such county aid shall be paid towards the support of any child who has arrived at the age of fourteen (14) years, nor to any mother who has not resided in said county one year and in the State two years continuously next preceeding the making of such order.

SEC. 3. *Court may make order at any time.*—The court may at any time revoke or modify any order previously made; a certified copy of any such subsequent order shall forthwith be filed with the county auditor and thereafter warrants shall be drawn and payments made only in accordance with such subsequently executed order.

Approved March 27, 1913.

## MISSOURI.

[Laws 1911, p. 120-122, as amended by Laws 1913, p. 146-7.]

An Act To provide for the partial support of poor women, whose husbands are dead or convicts, when such women are mothers of children under the age of fourteen (14) years and reside in counties now or hereafter having not less than two hundred and fifty thousand (250,000) inhabitants and not more than five hundred thousand (500,000) inhabitants, and now or hereafter having or holding a juvenile court, with an emergency clause.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

SEC. 1. *County courts to make appropriations.*—In every county now containing or that may hereafter contain two hundred and fifty thousand (250,000) inhabitants and less than five hundred thousand (500,000) inhabitants and in which a juvenile court is now being held or may hereafter be held, it shall be the duty of the county court to provide out of the moneys in the county treasury, not already appropriated, an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of twelve thousand dollars (\$12,000,000) for the partial support of women whose husbands are dead, or whose husbands are prisoners or whose husbands are in either one of the four State hospitals for the insane or in the Missouri colony for the feeble-minded and epileptic, when such women are poor and are the mothers of children under the age of fourteen years, and such mothers and children reside in such counties.

SEC. 2. *Amount of allowance.*—The allowance to each of such women shall not exceed ten dollars (\$10.00) a month when she has but one child under the age of fourteen (14) years, and if she has more than one child under the age of fourteen years, it shall not exceed the sum of ten dollars (\$10.00) a month

<sup>1</sup> The amendment of 1913 extended the provisions of the law to women whose husbands were in State hospitals for the insane or the Missouri colony for the feeble-minded and epileptic.

for the first child and five dollars (\$5.00) a month for each of the other children under the age of fourteen years.

SEC. 3. *Conditions of allowance.*—Such allowance shall be made by the juvenile court and only upon the following conditions: (1) The child or children, for whose benefit the allowance is made, must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance, she will be able to remain at home with her children; (3) the mother must, in the judgment of the juvenile court, be a proper person, morally, physically and mentally, for the bringing up of her children; (4) such allowance shall in the judgment of the court be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance.

SEC. 4. *When allowance shall cease.*—Whenever any child shall reach the age of fourteen years, any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches the age of fourteen years, discontinue or modify the allowance to any mother and for any child.

SEC. 5. *Partial relief.*—Should the fund herein authorized be sufficient to permit an allowance to only a part of the persons coming within the provisions of this law, the juvenile court shall select those cases in most urgent need of such allowance.

SEC. 6. *To whom applicable.*—The provision of this law shall not apply to any woman whose husband is not dead or who is not confined in the Missouri State Penitentiary or other prison in this State, and in the latter case it shall not apply unless such prisoner is the lawful husband of the woman seeking such allowance.

SEC. 7. *Penalty for fraud.*—Any person procuring, or attempting to procure, any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by imprisonment in the county jail for a period of not more than one year, or by both fine and imprisonment.

SEC. 8. *Motion to set aside allowance.*—In each case where an allowance is made to any woman under the provisions of this act, a judgment entry to that effect shall be entered upon the records of the juvenile court making such allowance, and it shall be the right of any taxpaying citizen at any time to file a motion to set aside such judgment, and on such motion the juvenile court, or the court to whom such motion may be taken on a change of venue, shall hear evidence, either with or without a jury, as either side may demand, and may make a new order granting or refusing such allowance, and from such order, so made, an appeal shall lie as in ordinary civil cases. If the judgment, making such allowance, is not appealed from or is affirmed on appeal, the person filing such motion shall pay all of the costs of such motion and proceedings subsequent thereto. Such motion may be renewed from time to time, but not oftener than once in any calendar year.

SEC. 9. *Repeal.*—All acts or parts of acts in conflict with this act are, in so far as they so conflict, hereby repealed.

SEC. 10. *Emergency clause.*—There being no adequate provision of law covering the subject of partial support of poor women, an emergency within the



meaning of the constitution is hereby declared to exist; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved April 7, 1911. Amendment approved March 25, 1913.

#### OPERATION OF LAW IN JACKSON COUNTY.

By population limitation this law is applicable only to Jackson County. It is administered under the juvenile court of Jackson County at Kansas City. From June 2, 1911, to December 31, 1913, 144 applications were passed on by the court, of which number 62 were refused and 82 granted. During this period 22 of the allowances made were discontinued for the following reasons: In 8 cases the widows remarried; in 1, the husband was released from prison; in 2, the children were not being cared for; in 5, the incomes were considered sufficient for care of the children; in 6, request was made by the mothers that the allowance be set aside because they were in a position to care for their children by obtaining work.

For the month of December, 1913, 60 women were receiving assistance to the amount of \$884.50. The largest amount paid any family was \$25 and the smallest \$.88, an average per family of \$14.74 a month. The average amount to each individual was \$3.27 per month; the average amount to each child \$4.21 per month.

In the 60 families 210 children were being benefited by the allowances, 168 under 14 years and 42 over 14 years. Of this number, 117 children were in ward school, 6 in high school, and 48 children were under school age; 20 of the children over 14 were at work; 22 were in school, 6 of these being in high school.

The law provides an appropriation of not exceeding \$12,000 a year for the payment of allowances to widows. During the month of January, 1914, 4 more widows were added to the pay roll, making the total \$928.50 per month. At the beginning of February, 1914, there were on file 28 applications with only \$71.50 left out of the \$1,000 available monthly for granting allowances. (From the report of J. L. Gillham, deputy probation officer in charge of widows' allowances, Feb. 4, 1914.)

#### FORMS USED IN JUVENILE COURT OF JACKSON COUNTY (KANSAS CITY).

##### APPLICATION OF WIDOW FOR ALLOWANCE.

Give your name in full: \_\_\_\_\_. Give your address: \_\_\_\_\_. Your age: \_\_\_\_\_. How long have you lived at your present address? \_\_\_\_\_. Do you own your own property? \_\_\_\_\_. What property have you, real or personal? State fully: \_\_\_\_\_. If you rent, who is your landlord? \_\_\_\_\_. What rent do you pay? \_\_\_\_\_. Amount of rent owing: \_\_\_\_\_. Account of outstanding debts: \_\_\_\_\_. Where were you born? \_\_\_\_\_. Nationality: \_\_\_\_\_. Where was your husband born? \_\_\_\_\_. Nationality: \_\_\_\_\_. Give his name in full: \_\_\_\_\_. Give place, cause, and date of his death: \_\_\_\_\_. Place and date of his imprisonment: \_\_\_\_\_. If your husband is dead, state what property he left, including life insurance: \_\_\_\_\_. Give the names of all your children; also date and place of birth: \_\_\_\_\_. How many children are living with you? \_\_\_\_\_. Name them: \_\_\_\_\_. If any of your children are married, give their names and addresses: \_\_\_\_\_. How long have you lived in Jackson County continuously last before the making of this application? \_\_\_\_\_. Give dates: From \_\_\_\_\_ to \_\_\_\_\_. State what your income is, including the salary of any child or children that you may have employed: \_\_\_\_\_. Have you any money in bank? \_\_\_\_\_. Amount: \_\_\_\_\_. What bank? \_\_\_\_\_. Do you authorize me to inquire of the bank? \_\_\_\_\_. Give date and place of your marriage: \_\_\_\_\_. Have you your marriage certificate? \_\_\_\_\_. How many times have you been married? \_\_\_\_\_. Give the name of your father: \_\_\_\_\_. Give his age and address, if living: \_\_\_\_\_. Give the name of your mother: \_\_\_\_\_. Give her age and address, if living: \_\_\_\_\_. Give the names and addresses of your brothers: \_\_\_\_\_. Give the names and addresses of your sisters: \_\_\_\_\_. Give the name of your husband's father: \_\_\_\_\_. Give his age and address, if living: \_\_\_\_\_. Give the name of your husband's mother: \_\_\_\_\_. Give her age and address, if living: \_\_\_\_\_. Give the names and addresses of your husband's brothers: \_\_\_\_\_. Give the names and addresses of your husband's sisters: \_\_\_\_\_. State what relief you have received from public or private sources: \_\_\_\_\_. Give amounts, and the names and locations of institutions: \_\_\_\_\_. Are you employed away from home? \_\_\_\_\_. If so, state where, giving name and address of your employer, and what you earn: \_\_\_\_\_. How long since your husband's death have you been employed away from home? \_\_\_\_\_. If an allowance is made you, what work can you procure and do at home, and what can you earn from it? \_\_\_\_\_. If the court refused you an allowance, would you be required to work regularly away from your home and children for their support? \_\_\_\_\_. What is the least amount that may be allowed you that would enable you to stay at home with your children and take care of them? \_\_\_\_\_. If an allowance is made will you agree to stay at home with your children and properly rear them? \_\_\_\_\_. At any time during your

married life were you and your husband separated or divorced? \_\_\_\_\_. Were you living with your husband at the time of his death? \_\_\_\_\_. Give name and address of your physician: \_\_\_\_\_. Will you notify the chief probation officer, in writing, of any change in your address promptly? \_\_\_\_\_. Give the names and addresses of five (5) persons who have known you at least two (2) years: \_\_\_\_\_.

State of Missouri, county of Jackson, ss: \_\_\_\_\_, of lawful age, being duly sworn, on her oath states, that each and all the foregoing answers to the foregoing questions are identically as she made them, and that each and every statement in the above application is true.

Subscribed and sworn to before me, a notary public in and for Jackson County, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

## REFERENCE BLANK.

\_\_\_\_\_ JUVENILE COURT,  
OFFICE OF CHIEF PROBATION OFFICER,  
Kansas City, Mo., \_\_\_\_\_.

DEAR SIR OR MADAM: Your name has been given us as reference by \_\_\_\_\_ of \_\_\_\_\_ who is applying for a widow's allowance. Will you please answer the following questions? Same will be treated strictly confidential:

How long have you known applicant? \_\_\_\_\_. How long has the applicant lived in Jackson County continuously? \_\_\_\_\_. Is she, in your opinion, a good moral Christian woman? (yes or no.) Does she go to church \_\_\_\_\_; if so, which? \_\_\_\_\_. Would she, in your opinion, give the children a good education? \_\_\_\_\_. What is her reputation for honesty? \_\_\_\_\_. What is the applicant's general reputation? \_\_\_\_\_. How does she care for her home? \_\_\_\_\_. Does she properly care for her children? \_\_\_\_\_. Would you consider applicant competent morally, physically, and mentally to rear children? \_\_\_\_\_. Name \_\_\_\_\_, Business or occupation \_\_\_\_\_, City or town \_\_\_\_\_, State \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 191\_\_\_\_, at \_\_\_\_\_.

## REPORT OF INVESTIGATOR.

Name of applicant: \_\_\_\_\_. Address: \_\_\_\_\_. Housing conditions: Family live in \_\_\_\_\_ rooms. Flat: \_\_\_\_\_. Tenement: \_\_\_\_\_. Detached house: \_\_\_\_\_. Rooming or boarding house: \_\_\_\_\_. Conditions in the home regarding sanitation and cleanliness: \_\_\_\_\_. Character of the neighbors and neighborhood, in regard to saloons, pool halls, etc.: \_\_\_\_\_. Would you advise removal in case that allowance was granted? \_\_\_\_\_. Why? \_\_\_\_\_. School record: Names of children attending school, age, grade (setting this information opposite each name): \_\_\_\_\_. Religion: \_\_\_\_\_. Denomination: \_\_\_\_\_. Attendant: \_\_\_\_\_. Name of pastor: \_\_\_\_\_. Address: \_\_\_\_\_. Do children go to any church services? \_\_\_\_\_. Name of Sunday-school teacher: \_\_\_\_\_. Address: \_\_\_\_\_. Physical condition of each of the children, setting out if any of the children are abnormal in any way: \_\_\_\_\_. Literacy of the applicant: \_\_\_\_\_. Left school at what age: \_\_\_\_\_. Why did you leave? \_\_\_\_\_. Can the applicant read and write? \_\_\_\_\_. Has the applicant any physical defects? \_\_\_\_\_. Do you belong to any society benefit or otherwise? \_\_\_\_\_. Does the applicant use any intoxicating liquors? \_\_\_\_\_. Does the applicant use tobacco in any form? \_\_\_\_\_. Has the applicant ever been in jail or prison? \_\_\_\_\_. Date: \_\_\_\_\_, 191\_\_\_\_. \_\_\_\_\_, Investigator.

## RECORD OF CASE.

Name.

Age.

Address.....	No. of rooms.....	Wages earned by mother.....	.....
Address.....	No. of rooms.....	Wages of children.....	.....
Address.....	No. of rooms.....	Amt. received by other sources.....	.....
Rent paid.....		Allowance granted.....	.....
		Allowance granted.....	.....
		Total.....	.....

Allowance set aside and cause.....

Children's first name.	Date of birth.	Age.	Occupation or school grade.	Where employed or school attended.

Remarks: \_\_\_\_\_.

Date, .....

## CITY OF ST. LOUIS.

In St. Louis a municipal commission to study the question of the care of delinquent, dependent, and defective children, which made its report in 1911, recommended that every dependent child, not in need of hospital treatment,

be cared for in a family home, and that so far as possible the child should be kept with its own family or relatives. The commission recommended the appointment for St. Louis of a board of children's guardians. To permit this a special act was passed by the Missouri Legislature April 3, 1911, empowering cities of 500,000 inhabitants or more to create, by ordinance, a board of children's guardians, and authorizing such board to receive delinquent, dependent, and defective children and to place them in public institutions or with families, and permitting such city to provide for the payment of the care of any such child in any public institution or with any family. (Laws 1911, p. 349.)

The ordinance passed by St. Louis under the authority of this act is as follows:

[Revised Code of St. Louis, 1912. Appendix, p. 1135-1138. Ordinance 26565.]

An Ordinance Creating the board of children's guardians, defining the number of its members, their terms of office, their qualifications, duties and powers, authorizing said board to manage the St. Louis Industrial School, and authorizing said board to receive delinquent, dependent and defective children, and to place them in public institutions or with families, providing for the payment for the care of any such child, and making an appropriation therefor, and repealing section fifteen hundred and ten of the Revised Code of St. Louis (now sec. 15, Revised Code, 1912).

*Be it ordained by the municipal assembly of the city of St. Louis, as follows:*

SECTION 1. *Establishment of the board of children's guardians.*—There is hereby created a board of children's guardians of the city of St. Louis, to consist of seven members, who shall be appointed by the mayor, with the approval of the council, for a term of four years, and until their successors have been appointed and qualified; if any member should absent himself from five consecutive meetings of the board without giving an excuse satisfactory to the board and entered upon the record of the board, his office shall become vacant. Members of the board shall serve without compensation: *Provided, however,* That necessary expenses incurred in the discharge of their duties shall be refunded to them.

SEC. 2. *Organization of the board.*—Within thirty days after the passage of this ordinance, the mayor shall appoint two members to said board for a term of one year each, two members for a term of two years each, two members for a term of three years each, and one member for a term of four years, and thereafter, as these terms expire, the mayor shall appoint members for a term of four years. The board shall choose from among its members, a chairman and vice chairman and a secretary thereof, whose duty it shall be to keep a record of all proceedings of said board. The board shall have an office in the city hall or in such other municipal building, as may be designated by the mayor. The board shall meet on the second and fourth Tuesdays of each month, provided that if any meeting day should be a legal holiday, the board may select some other day for its meeting.

SEC. 3. *Appointment of agent and visitors.*—The board shall appoint an agent who may not be of their own number. Such agent shall receive a salary, payable out of the city treasury in monthly installments at the rate of twenty-one hundred dollars for the first year of service, with an increase of one hundred dollars per annum, for each year's additional service of the incumbent until a maximum of twenty-four hundred dollars shall be reached, when the maximum so attained shall be the rate thereafter. The board may appoint as many visitors as it may find necessary, not exceeding four in number, at a salary payable monthly at the rate of nine hundred dollars for the first year of service, with an increase of one hundred dollars per annum for each year's additional service of the incumbent until a maximum of twelve hundred dollars shall be reached, when the maximum so attained shall be the rate thereafter.



The board may also appoint a stenographer at a salary, payable monthly, at the rate of seven hundred dollars per annum, with an increase of one hundred dollars per annum for each year's additional service of the incumbent until a maximum of nine hundred dollars is attained, which shall be the rate thereafter. Actual disbursements for necessary expenses of employees in the performance of their duties such as transportation shall be allowed. The agent, visitors, and any other employees shall serve at the pleasure of the board. The appointment of the agent and visitors shall be made on merit only, after a public competitive examination conducted by the board or a committee thereof, under rules made a matter of public record of the board. All examinations shall be in writing. Successful applicants shall be required to answer such questions orally as requested by board.

SEC. 4. *Duties of agent and visitors.*—It shall be the duty of the agent to investigate all cases presented to the board, to be present when necessary in court as the board's agent, and to conduct the correspondence and general administrative work of the board, except in matters pertaining to the administration of the industrial school. The agent shall have charge of the placing and supervision of children under the direction of the board, it being the duty of the visitors herein provided for to visit and supervise such children under the direction of the agent. The duties of the agent and visitors may be further designated by the board.

SEC. 8.<sup>1</sup> *Board given authority to take charge of children.*—Said board of children's guardians shall have the power and authority to receive and take charge of any child upon commitment to it by any court of competent jurisdiction in the city of St. Louis, and upon application of its legal custodian to receive and take charge of any dependent or defective child for such care and treatment as such board may determine: *Provided, however,* That the board shall not take charge or consider any application for the care of a child who has not been a resident of the city for at least one year prior to the application, or, if a child under one year of age whose parents or guardian have not been residents of the city for at least one year prior to the making of the application, excepting foundlings and abandoned children whose parents or guardians are unknown.

SEC. 9. *Board's authority in caring for children.*—Said board of children's guardians shall have the power and authority to place any child in its charge for temporary custody in the house of detention; to place delinquent and defective children in any public institution within the State of Missouri for the care of delinquent and defective children, and to place dependent children in the St. Louis Industrial School, but only in case no suitable family homes can be found for them, and only until such homes can be found. Said board shall have the power and authority to place any child in its charge or under its control with any family qualified and able in the opinion of the board to provide for the comfort and wants of such child, and to care for its moral and physical welfare: *Provided,* That no child shall be placed with any family when the head thereof is of different religious affiliation from that of the child's parents or guardian, if such affiliation can be ascertained: *And provided further,* That no payment shall be made for the board of any child with such child's own father or mother, excepting with its own mother, when such mother is widowed, and then only after the board, through an investigation by its agents and at least one other independent investigation, has agreed that such board should be allowed: *And provided further,* That the board of children's guardians shall not place for board any child who has arrived at the legal working age (fourteen),

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<sup>1</sup> Sections 5 to 7 relate to the administration of the industrial school.



unless such child is mentally or physically incapacitated for gainful employment. The board shall, so far as practicable, place children within the city of St. Louis, and when not practicable the children may be placed in the State within a radius of fifty miles of St. Louis.

SEC. 10. *Payment of board for children.*—For each child so placed by said board in any public institution within the State of Missouri, the city of St. Louis shall pay whatever sum may be fixed by statute or whatever sum may be agreed upon by said board not in excess of the sum fixed by statute. For the board and maintenance of every child placed with a family, the city shall pay whatever sum is agreed upon by said board of children's guardians, not in excess, however, of the sum of three dollars and fifty cents per week: *Provided, however,* That with the consent of the comptroller first had and obtained as evidenced by his certificate in each and every case, the said board may authorize and the city shall pay a greater amount, as fixed by the comptroller's certificate. In addition to said amount thus fixed, the city, upon the action of said board, may pay for clothing and for medical treatment not exceeding the sum of twenty-five dollars per year per child: *Provided, however,* That a greater sum may be authorized by said board and shall be paid by the city, upon the certificate of the comptroller having been first had and obtained in each and every case. All expenditures authorized by the board shall be certified by the board's agent and chairman.

SEC. 11. *Reports.*—Said board shall render a quarterly report, on the fifteenth day of February, May, August, and November of each year to the municipal assembly, and a monthly report to the mayor, showing the number of children in its charge and under its control, the manner in which each child came into said board's control, its age, sex, and color, the disposition of each case, the number of those finally discharged from the board's control, the amount of expenditures on account of the work of said board, and any and all information that the board may be able to furnish. The board shall make to the comptroller such fiscal reports as he may require.

Approved July 8, 1912.

The work of taking care of children dependent upon the public for support and boarding them with their mothers was not begun until December 9, 1913. Thirty children in nine families were being so cared for during February, 1914. The amount given has varied with the family, the family budget being ascertained and the deficit made up. (Letter from A. Fairbank, agent of the board, Feb. 23, 1914.)

## NEBRASKA.

[Revised Statutes 1913, Article VII, 1245-1250.]

1245. SEC. 118. *Jurisdiction.*—The district courts of the several counties in this State and the judges thereof in vacation, shall have original jurisdiction in all cases coming within the terms of this article: the county court in each county shall have concurrent jurisdiction with the district court, but such jurisdiction shall not be exercised by the county court except in the absence of the judge or judges of the district court from the county. \* \* \* [Laws 1905, p. 306; Ann., 5450; Comp., 2796b.]

1246. SEC. 119. *Juvenile court.*—In counties having over forty thousand population, the judges of the district court shall, at such times as they shall determine, designate one or more of their number, whose duty it shall be to hear all cases coming under this article. A special court room, to be designated as the juvenile court room, shall be provided for the hearing of such cases, and the finding of the court shall be entered in a book or books to be kept for that purpose, and known as the "juvenile record," and the court may for con-

venience be called the "juvenile court." [Laws 1905, p. 307; Ann. 5451; Comp., 2796c.]

1247. SEC. 120. *Petition*.—Any reputable person being a resident in the county, having knowledge of a child in his county who appears to be either neglected, dependent, or delinquent, may file with the clerk of court having jurisdiction in the matter, a petition in writing, setting forth the facts verified by affidavit. It shall be sufficient that the affidavit is upon information and belief. [Laws 1905, p. 307; Ann., 5452; Comp., 2796d.]

1248. SEC. 121. *Summons*.—Upon the filing of the petition, a summons shall issue requiring the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. \* \* \* on the return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. \* \* \* [Laws 1905, p. 307; Ann., 5453; Comp., 2796e.]

1249. SEC. 122. *Probation officers*.—The judge of the district court having charge of the juvenile docket shall have authority to appoint or designate two or more persons of good character, one of whom shall be a woman, to serve as probation officers during the pleasure of the court. Such officers shall perform the duties prescribed in this article for probation officers and such other duties as may be required by the judge of the juvenile court. \* \* \*. In case a probation officer shall be appointed by any court, it shall be the duty of the clerk of the court, if practicable, to notify the said probation officer in advance, when any child is to be brought before the said court. It shall be the duty of the said probation officer to make such investigation as may be required by the court; to be present in court to represent the interests of the child when the case is heard; to furnish to the court such information and assistance as the judge may require. \* \* \* [Laws 1905, p. 308; 1907, p. 186; Ann. 5454; Comp., 2796f.]

1250. SEC. 123. *Dependent children—Custody—Aid to parents*.<sup>1</sup>—When any child under the age of eighteen years shall be found to be delinquent, dependent or neglected within the meaning of this article, the court may make an order committing the child to the care of some suitable institution, or to the care of some reputable citizen of good moral character, or to the care of some association willing to receive it, embracing in its objects the purpose of caring for or obtaining homes for dependent or neglected children, which association shall have been accredited as hereinafter provided, or, if under the age of sixteen years, or if he pleads guilty to or is convicted of any crime, to the care of the State industrial school. The court may, when the health or condition of the child shall require it, cause the child to be placed in a public hospital or institution for treatment or special care, or in an accredited and suitable private hospital or institution which will receive it for like purposes. If the parent or parents of such dependent or neglected child are poor and unable to properly care for the said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may enter an order finding such facts and fixing the amount of money necessary to enable the parent or parents to properly care for such child, and thereupon it shall be the duty of the county board, through its county agent or otherwise, to pay to such parent or parents, at such times as said order may designate the amount so specified for the care of such dependent or neglected child until the further order of the court: *Provided*, Not more than ten dollars per month shall be allowed for the care of each child: *And provided further*, No such

<sup>1</sup> The amendment providing aid to parents was approved April 5, 1913 (Laws 1913, chap. 38).

order shall be effective for more than six months, unless renewed by the court at or after the expiration of that period. All payments are to be made from the general fund of the county. [Laws 1905, p. 309; 1907, p. 187; 1911, p. 207; 1913, p. 133; Ann., 5455; Comp., 2796g.]

#### NEVADA.

[Laws 1913, chapter 133.]

An Act To amend an act entitled "An act relating to children who are now, or who may hereafter become dependent, neglected, or delinquent; to define these terms, and to provide for the treatment, control, maintenance, protection, adoption, and guardianship of the person of such child or children," approved March 24, 1909, said act as amended to provide a pension for dependent or neglected children.

*The people of the State of Nevada, represented in senate and assembly, do enact as follows:* SECTION 1. Section twelve of the said act is hereby amended to read as follows:

739. SECTION 12. *Guardianship, how perfected.*—Any child found to be dependent or neglected or delinquent as defined in this act and awarded by the court to a guardian institution or association, shall be held by such guardian institution or association, as the case may be, by virtue of the order entered in such case, and the clerk of the court shall issue and cause to be delivered to such guardian or association a certified copy of such order of the court, which certified copy of such order shall be proof of such guardian institution or association in behalf of such child. The guardianship under this act shall continue until the court shall by further order otherwise direct, but not after such child shall have reached the age of twenty-one (21) years, but if the parent or parents or grandparent or grandparents of such dependent or neglected child are poor and can not properly care for, maintain and properly educate such child, but are otherwise proper guardians and a person or persons of good reputation and morals, and shall covenant and agree that such child shall attend school regularly during all school days, when such child is of school age, or until said child shall have completed the eighth grade of the public grammar school, or school of like grades of studies, or have graduated in book-keeping and commercial course, the court may enter an order finding such facts, and fixing the amount of money necessary to enable the parent or parents or grandparent or grandparents to properly care for and educate such child, providing such amount shall not exceed the amount it would cost the county to have such child maintained and educated at any county or State home, or place provided for dependent or neglected children, in the State of Nevada, and thereupon it shall be the duty of the county board through its county agent, or otherwise, to pay to such parent or parents, or grandparent or grandparents, or blood aunt or blood uncle, the amount specified at such times as said order may designate for the care of such neglected or dependent child, until the further order of the court, and the court shall cease to sanction the payment of the specified amount whenever it shall appear that such child is not receiving the benefit it should from the payment of said specified amount of money.

SEC. 2. Any person or persons who shall violate any of the provisions of the said act as amended shall upon conviction thereof, be fined in any sum of money not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or not less than sixty (60) days nor more than two hundred days (200) in the county jail, or by both such fine and imprisonment.

SEC. 3. All laws or parts of laws in conflict with this act as amended are hereby repealed. Any person or persons violating the provisions of this act as amended shall, upon conviction thereof, be fined in any sum of money not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500), or not less than sixty (60) days, nor more than two hundred days (200) in the county jail, or by both such fine and imprisonment.

This act shall become effective on the first day of the commencement of the ensuing term of public school after its enactment and approval.

Approved March 20, 1913.

The provisions of the act of March 24, 1909, which relate to the courts having jurisdiction and the method by which cases of dependent children are brought into court are as follows:

[Revised Laws 1912.]

729. SEC. 2. *Jurisdiction.*—The district courts of the several judicial districts in this State shall have original jurisdiction in all cases coming within the terms of this act. \* \* \*

730. SEC. 3. The findings of the court shall be entered in a book or books to be kept for that purpose and known as the "juvenile department," and the court may for convenience be called the "juvenile department of the district court."

731. SEC. 4. *Petition.*—Any reputable person, being a resident of the county, may file with the clerk of the court having jurisdiction of the matter, a petition in writing setting forth that a certain child, naming it, within his county, is either dependent, neglected or delinquent as defined in section 1 hereof; \* \* \* The petition shall also set forth either the name, or that the name is unknown to petitioner (a) of the person having the custody of such child; and (b) of each of the parents or the surviving parent of a legitimate child; or of the mother of an illegitimate child; or (c) if it allege that both such parents are or such mother is dead, then of the guardian, if any, of such child; or (d) if it allege that both such parents are or that such mother is dead and that no guardian of such child is known to the petitioner. All persons so named in such petition shall be made defendants by name and shall be notified of such proceedings by summons if residents of this State in the same manner as is now or may hereafter be required in court proceedings by the laws of this State except only as herein otherwise provided. \* \* \* The petition shall be verified by affidavit, which affidavit shall be sufficient upon information and belief. \* \* \*

732. SEC. 5. *Summons.*—The summons shall require the person alleged to have the custody of the child to appear with the child at the time and place stated in the summons; and shall also require all defendants to be and appear and answer the petition on the return day of the summons. The summons shall be made returnable at any time within twenty days after the date thereof and may be served by the sheriff, or by any duly appointed probation officer, even though such officer be the petitioner. \* \* \*

733. SEC. 6. *Probation officers.*—The district courts in this State shall have authority to appoint any number of discreet persons of good moral character to serve as probation officers during the pleasure of the court \* \* \*. It shall be the duty of the clerk of the court, if practicable, to notify the said probation officer when any child is to be brought before the court; it shall be the duty of such probation officer to make investigation of such case; to be present in the court to represent the interests of the child when the case is heard; to furnish such court such information and assistance as the court or judge may require \* \* \*.



## NEW HAMPSHIRE.

[Laws 1913, chap. 123.]

An Act Making provision for the relief of destitute mothers and their children.

*Be it enacted by the senate and house of representatives in general court convened:* SECTION 1. *County to make appropriations.*—It shall be the duty of the county commissioners of each county to provide out of the moneys in the county treasury not otherwise appropriated an amount sufficient to meet the purposes of this law for the partial support of women, when such women are of good repute but poor and dependent on their own efforts for support and are mothers of children under the age of sixteen years.

SEC. 2. *Amount of allowance.*—The allowance to each of such women shall not exceed ten dollars (\$10) a month when she has but one child under the age of sixteen years, and if she has more than one child under the age of sixteen years, it shall not exceed the sum of ten dollars (\$10) a month for the first child and five dollars (\$5) a month for each of the other children under the age of sixteen years.

SEC. 3. *Conditions of allowance.*—Such allowance shall be made by the county commissioners upon the recommendation of the school board for the district in which such mother resides and only upon the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the school board, be a proper person, morally, physically and mentally, for the bringing up of her children; (4) such allowance shall in the judgment of the school board be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance.

SEC. 4. *When allowance shall cease.*—Whenever any child shall reach the age of sixteen years an allowance made to the mother of such child shall cease. The school board for the district in which the mother resides may recommend at any time before such child reaches the age of sixteen years that the allowance to any mother and for any child be discontinued or modified and the county commissioners, in their discretion, may thereupon discontinue or modify the same.

SEC. 5. *To whom law does not apply.*—The provisions of this law shall not apply to any woman who is not dependent on her own efforts for the support of herself and family and at the time of receiving such aid is not of good repute and making an earnest effort for self support.

Approved May 7, 1913.

## NEW JERSEY.

[Laws 1913, chap. 281.]

An Act To promote home life for dependent children.

*Be it enacted by the senate and general assembly of the State of New Jersey:* 1. *Widow may petition court.*—Any widow who is the mother of a child or children under the age of sixteen, and who is unable to support them and to

maintain her home, may present a petition for assistance to the court of common pleas of the county wherein she resides.

2. *What petition must contain.*—Such petition shall be verified and shall set forth the following:

(a) Her name, the date of the death of her husband, the names of her children, and the dates and places of their birth and the time and place of her marriage.

(b) Her residence and the length of time that she has been a resident of the State, the length of time she has lived at said residence and the address or addresses of her place or places of abode for the previous five years, and the date, as near as possible, when she moved in and when she left said place or places of residence.

(c) A statement of all the property belonging to her and to each of her children, which statement shall include any future or contingent interests which she or any of them may have.

(d) A statement of the efforts made by her to support her children.

(e) The names, relationships and addresses of all her and her husband's relatives, that may be known.

3. *Officials to be notified.*—A copy of the petition provided for in section two hereof and a notice of the time and place when it will be presented to the court must be served on or mailed to the overseer of the poor having jurisdiction over the district wherein the petitioner resides and the board of children's guardians at least five days before such time.

4. *Investigation and hearing.*—Upon the return of the petition and notice the court shall examine under oath all who desire to be heard: *Provided, however,* That the New Jersey State Board of Children's Guardians shall before said hearing examine into the truth of the facts set forth in the above-mentioned petition and shall file a report of its findings with the court, setting forth in full the results of its investigation. The court may, in its discretion, issue subpoenas for the attendance of witnesses and adjourn the hearing from day to day: *And provided, however,* The court may refer said matter to a commissioner to be appointed by the court to hear such witnesses as shall be produced by the petitioner, or the State board of children's guardians or others. Said commissioner shall make a report to the court setting forth the facts as proven before him.

5. *Amount of allowance.*—If, upon the completion of the examination provided for under section four hereof, the court concludes that, unless relief is granted, the mother will be unable to properly support and educate her children, and that they may become a public charge, it shall make an order committing said family to the care of the State board of children's guardians, and directing that there shall be paid to the mother, through the State board of children's guardians, monthly out of the county funds the following amounts for the maintenance and support of the children under sixteen: Nine dollars for one such child, fourteen dollars for two and four dollars for each additional child.

6. *Duty of State board of children's guardians.*—It shall be the duty of the State board of children's guardians to see that any widow committed to its care, pursuant to the provisions of this act is properly caring for her children, that they are sufficiently clothed and fed, that they attend school regularly and receive proper religious instruction; and that said family shall be visited at least six times a year. The State board of children's guardians shall report immediately to the court that had the original jurisdiction in the case of any widow who does not properly care for and educate her child or children, or when they find that she is an improper guardian for said child or children, or when they find that she no longer needs such support. The court shall

thereupon revoke or cancel any order made pursuant to this act, at any time with or without notice, and in lieu thereof make any order that in the judgment of the court may protect the welfare of the child or children, or may make an order committing said child or children to the care, custody and control of the New Jersey State board of children's guardians, said child or children so committed to their care to be held by said New Jersey State board of children's guardians pursuant to a statute entitled "An act for the creation of a State board of children's guardians, and for defining their duties and powers with respect to the maintenance, care and general supervision over indigent, helpless, dependent, abandoned, friendless and poor children now or hereafter to become public charges of this State," approved March twenty-fourth, one thousand eight hundred and ninety-nine, and the various supplements and amendments thereto.

7. *No fees allowed.*—No fees or costs shall be paid or allowed by the court for any proceedings held pursuant to this act, nor shall any counsel fee be ordered or collected from any party applying to the court pursuant to the provisions of this act. All proceedings pursuant to this act shall be in forma pauperis.

Approved April 9, 1913.

#### FORMS ADOPTED BY STATE BOARD OF CHILDREN'S GUARDIANS.

##### LETTER INCLOSED WITH APPLICATION BLANKS.

NEW JERSEY STATE BOARD OF CHILDREN'S GUARDIANS,  
*Jersey City, N. J., ———, 19—.*

DEAR MADAM: Your letter asking for information in regard to the mothers' pension bill has been received at this office. Under the law your petition must be made direct to the court of common pleas, which is held for your county at ———.

Under the law, it will be necessary for you to fill out the three inclosed blanks, answering fully every question thereon; otherwise you may cause serious delay in having your petition acted upon by the court. After you have answered these questions fully, and had the blanks sworn to before a person authorized to take affidavits, you must then file a copy with your county judge, also a copy with your local poormaster, and one with us.

I am also inclosing you a copy of the law, which will show you that in order to be eligible to receive this pension, 1st, you must be a widow; 2d, you must be a mother of children under sixteen years of age; 3d, you must have a legal residence in the county wherein you reside. A legal settlement under the poor law is five years' residence in the municipality. 4th, you must have no visible means of support and be liable to become a public charge.

If you have not resided in the county where you are living at this time for five years continuous, you will have to present your petition to the judge in the county where you have lived five years.

If you do not understand about this, I will be glad to have you write me, and I will advise you further in regard to this matter.

Yours, truly,

—————, *General Agent.*

##### NOTICE AND PETITION.

Court of common pleas of the county of ———. In the matter of the petition of ——— for relief under chapter 281 of the laws of 1913. Notice.

*To the overseer of the poor of the ——— in the county of ——— and to the State board of children's guardians of the State of New Jersey:*

Take notice, that on the ——— day of ——— one thousand nine hundred and —, at ten o'clock in the forenoon at the courthouse in ———, I shall present to the court of common pleas of the county of ——— a petition, a true copy of which is hereunto annexed.

Yours, respectfully,

Dated ———.

—————.

To the court of common pleas of the county of \_\_\_\_\_:

The humble petition of \_\_\_\_\_, widow of \_\_\_\_\_, in the county of \_\_\_\_\_, in the State of New Jersey, respectfully shows the name of your petitioner is \_\_\_\_\_.

The husband of your petitioner died on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_.

The names of the children of your petitioner and the dates and places of their births are as follows: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

Your petitioner was married to her husband on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand nine hundred and \_\_\_\_\_, at \_\_\_\_\_.

Your petitioner resides at \_\_\_\_\_, and has been a resident of the State of New Jersey for \_\_\_\_\_ years. Following are the various places of abode for the last five years, with the dates, as nearly as your petitioner can recollect the same, when she moved in and when she left said respective places of residence: \_\_\_\_\_, \_\_\_\_\_.

Neither your petitioner or any of the children above named have any property or interests in property of any kind, future, or contingent, except as follows: \_\_\_\_\_.

Following is a statement of all property belonging to your petitioner or to either of the children above named, further or contingent: \_\_\_\_\_.

Following is a statement of the efforts made by your petitioner to support herself and her children: \_\_\_\_\_.

Following are the names, relationships, and addresses of all the relatives of herself and her deceased husband, so far as they are known to your petitioner: \_\_\_\_\_.

Your petitioner further states that unless relief is granted, your petitioner will be unable to properly support and educate her children and that they may become a public charge.

Your petitioner therefore prays that this honorable court shall make an order committing your petitioner and the children above named to the care of the State board of children's guardians, and directing payment to your petitioner through said board monthly, out of the county funds, of the sums of money specified in the act entitled "An act to promote home life for dependent children," approved April 9, 1913, being chapter 281 of the Laws of 1913.

And your petitioner as in duty bound will ever pray, etc.

Dated at \_\_\_\_\_, \_\_\_\_\_, Petitioner.

State of New Jersey, county of \_\_\_\_\_, ss:

\_\_\_\_\_, of full age, being duly sworn according to law, on her oath deposes and says that she is the petitioner above named; that the facts, matters, and things in said petition set forth are true.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, at \_\_\_\_\_.

#### LETTER TO CHARITY ORGANIZATION AND POOR MASTERS.

DEAR SIR: We have received a notice that Mrs. \_\_\_\_\_, of \_\_\_\_\_, has presented a petition to the court of common pleas of the county of \_\_\_\_\_, for relief under chapter 281, Laws of 1913.

The law requires us to make an investigation and verify the statements made in this petition. Will you kindly cooperate with us in this case by answering the questions asked on blank attached below and return to this office?

Thanking you, I am, yours, truly,

\_\_\_\_\_, General Agent.

1. Do you know Mrs. \_\_\_\_\_, of \_\_\_\_\_? \_\_\_\_\_. 2. How long have you known her? \_\_\_\_\_. 3. Has she ever been given assistance by your organization? If so, how much, in what way, and when? \_\_\_\_\_. 4. During the time you have known her, has she properly cared for, first, her home, \_\_\_\_\_; second, her children, \_\_\_\_\_. 5. What means of support other than what she received from you has she had during the time she has been under your supervision? \_\_\_\_\_. 6. Have you had any report about the children being abnormal or incorrigible? \_\_\_\_\_. 7. Is the mother of good moral character? \_\_\_\_\_.

Signed \_\_\_\_\_.

Title \_\_\_\_\_.

Name of Association \_\_\_\_\_.

#### LETTER TO COUNTY COUNSEL.

DEAR SIR: You are hereby notified that a petition for relief under chapter 281, Laws of 1913, has been presented to the court of common pleas by \_\_\_\_\_.

While the law does not provide for notice to the board of freeholders, yet, in view of the fact that such sums as may be allowed are payable out of the county treasury, we deem it proper that you should have such notice in order that the county may be represented at the hearing.

The hearing will be held \_\_\_\_\_ at \_\_\_\_\_ before \_\_\_\_\_.

We will be very glad of your cooperation and will furnish you with a copy of the report of our investigation on this case, if you so desire.

Yours, truly,

\_\_\_\_\_, General Agent.

#### REPORT OF STATE BOARD.

Court of common pleas of the county of \_\_\_\_\_. In the matter of the petition of \_\_\_\_\_ for relief under chapter 281 of the Laws of 1913. Report of State board.

The State board of children's guardians hereby reports to the court its findings as the result of its investigation into the petition filed in the above-entitled matter.

The facts stated in the said petition as to the name of the petitioner, date of death of her husband, names and ages of her children and their places of birth, time and place





## CHURCH CARD.

Name of child.....

Date.	Name of church.	Name of pastor.	Jan.		Apr.		July.		Oct.	
			C.	S.	C.	S.	C.	S.	C.	S.

## NEW YORK.

[Laws 1913, chap. 588.]

An Act To establish a commission to inquire into the subject of pensions or other relief for widowed mothers, and making an appropriation therefor.

*The people of the State of New York, represented in senate and assembly, do enact as follows:* SECTION 1. *Duties of commission—Report.*—Within thirty days after this act takes effect there shall be appointed in the manner hereinafter provided a commission whose duty it shall be to make inquiry, examination and investigation into the practicability and appropriate method of providing by statute for pensions or other relief for widowed mothers, including such an investigation of the circumstances affecting such persons as may show the necessity or propriety of providing for such pensions or relief, and for the purposes of such investigation the commission may inquire into conditions and statutes in any State or country. Such commission shall submit its report on such matters, including such recommendations for legislation in the form of a bill or bills, or otherwise, as in its judgment may seem proper, to the legislature of nineteen hundred and fourteen.

SEC. 2. *Membership.*—Such commission shall consist of three senators to be appointed by the temporary president of the senate, five members of the assembly to be appointed by the speaker of the assembly, and seven other persons, not members of the legislature, to be appointed by the governor. Such commission shall elect from its number a chairman and may appoint a secretary.

SEC. 3. *Expenses.*—The members of such commission shall serve without compensation, but each member shall be entitled to his actual necessary expenses incurred in the performance of his duties under the provisions of this act.

SEC. 4. *Powers.*—For the purposes of its investigation such commission is hereby authorized to send for persons and papers, to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subjects referred to in the first section of this act and to employ all necessary clerical and other assistants, within the appropriation therefor. If such commission shall appoint from its members subcommittees to make inquiry into one or more of such subjects, such subcommittees shall have the same powers in respect to sending for persons and papers, administering oaths and examining witnesses and papers, as are herein conferred upon the commission.

SEC. 5. *Appropriation.*—The sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated for the expenses of such commission and its members under the provisions of this act, to be paid by the State treasurer upon the warrant of the comptroller upon vouchers approved by the chairman of such commission.

SEC. 6. This act shall take effect immediately.

Approved May 17, 1913.

Members of the commission: Aaron J. Levy (chairman); Frederick S. Burr, E. Frank Brewster, Hannah B. Einstein, Anthony J. Griffin, William Hard, John D. Lindsay, Sophie Irene Loeb, Martin G. McCue, Henry W. Pollock, James M. Rozan, William I. Sirovich, Thomas K. Smith, Ralph W. Thomas, Ansley Wilcox. Secretary, Richard M. Neustadt. Director of investigation, Robert W. Hebbard.

The commission made a preliminary report to the legislature March 20, 1914 (Senate No. 53), and submitted a bill providing for relief to children of widowed mothers. The bill fixes "allowances" of not more than \$20 a month for widowed mothers with one child under 16 years of age, \$15 for a second child, and \$10 for each additional child to a monthly maximum of \$60. The entire administration of the pensions in each county is placed in the hands of a county board of child welfare of seven members, appointed by the county judge as follows: The county superintendent of the poor, ex officio member; one representative each of the county education authorities, the public health authorities, and the juvenile or county court; and three additional members, two at least of whom shall be women. For New York City the board of child welfare is increased to nine members, appointed by the mayor, with the commissioner of public charities ex officio member in place of the county superintendent of the poor. The entire cost of the pensions is to be borne by the local authorities, whose action in making appropriations is, however, optional. The bill recommended by the commission passed the assembly, but did not come to a vote in the senate before the regular session of the legislature came to an end on March 27, 1914.

## OHIO.

[Laws 1913, p. 877-9.<sup>1</sup> Part of Children's Code.<sup>2</sup>]

SEC. 1683-2. *Allowance to poor mothers.*—For the partial support of women whose husbands are dead, or become permanently disabled for work by reasons of physical or mental infirmity, or whose husbands are prisoners or whose husbands have deserted, and such desertion has continued for a period of three years, when such women are poor, and are the mothers of children not entitled to receive an age and schooling certificate, and such mothers and children have been legal residents in any county of the State for two years, the juvenile court may make an allowance to each of such women, as follows. Not to exceed fifteen dollars a month, when she has but one child not entitled to an age and schooling certificate, and if she has more than one child not entitled to an age and schooling certificate, it shall not exceed fifteen dollars a month for the first child and seven dollars a month for each of the other children not entitled to an age and schooling certificate. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period, said court may from time to time, extend such allowance for a period of six months, or less. Such homes shall be visited from time to time by a probation officer, agent of an associated charities organization, a humane society, or such other agents as the court may direct, provided that the

<sup>1</sup> See also General Code, 1910, section 7777, which provides for relief (books and clothing) to be furnished out of the contingent funds of the school districts to poor children to enable them to attend school. (Laws 1902, sec. 4022-9.) A similar provision was passed in Indiana in 1913.

<sup>2</sup> The commission to codify and revise the laws of Ohio relative to children, which made its report to the legislature in 1912, was not agreed as to the desirability of enacting a "widows' pension" law at that time. The bill drafted by the commission as the form recommended should the legislature desire to pass such a law was that enacted in 1913.

person who actually makes such visits shall be thoroughly trained in charitable relief work, and the report or reports of such visiting agent shall be considered by the court in making such order.

SEC. 1683-3. *Conditions of allowance.*—Such allowance may be made by the juvenile court, only upon the following conditions: First—the child or children for whose benefit the allowance is made, must be living with the mother of such child or children; second—the allowance shall be made only when in the absence of such allowance, the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children, except that she may be absent for work for such time as the court deems advisable; third—the mother must, in the judgment of the juvenile court, be a proper person, morally, physically and mentally, for the bringing up of her children; fourth—such allowance shall in the judgment of the court be necessary to save the child or children from neglect and to avoid the breaking up of the home of such woman; fifth—it must appear to be for the benefit of the child to remain with such mother; sixth—a careful preliminary examination of the home of such mother must first have been made by the probation officer, an associated charities organization, humane society, or such other competent person or agency as the court may direct, and a written report of such examination filed.

SEC. 1683-4. *When allowance shall cease.*—Whenever any child shall reach the age for legal employment, any allowance made to the mother of such child for the benefit of such child shall cease. The juvenile court may, in its discretion, at any time before such child reaches such age, discontinue or modify the allowance to any mother and for any child.

SEC. 1683-5. *Partial relief.*—Should the fund at the disposal of the court for this purpose be sufficient to permit an allowance to only part of the persons coming within the provisions of this act, the juvenile court shall select those cases in most urgent need of such allowance.

SEC. 1683-6. *To whom law does not apply.*—The provisions of this act shall not apply to any woman who, while her husband is imprisoned receives sufficient of his wages to support the child or children.

SEC. 1683-7. *Penalty for fraud.*—Any person or persons fraudulently attempting to obtain any allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars, or imprisoned in the county jail, for a period of not less than two months, or both.

SEC. 1683-8. *Motion to set aside allowance.*—In each case where an allowance is made to any woman under the provisions of this act, a record shall be kept of the proceedings, and any citizen of the county may, at any time, file a motion to set aside, or vacate or modify such judgment and on such motion said juvenile court shall hear evidence, and may make a new order sustaining the former allowance, modify or vacate the same, and from such order, error may be prosecuted, or an appeal may be taken as in civil actions. If the judgment be not appealed from, or error prosecuted, or if appealed or error prosecuted, and the judgment of the juvenile court be sustained or affirmed, the person filing such motion shall pay all the costs incident to the hearing of such motion.

SEC. 1683-9. *County board to levy tax.*—It is hereby made the duty of the county commissioners to provide out of the money in the county treasury such sum each year thereafter as will meet the requirements of the court in these proceedings. To provide the same they shall levy a tax not to exceed one-tenth of a mill on the dollar valuation of the taxable property of the county. Such levy shall be subject to all the limitations provided by law upon the aggregate amount, rate, maximum rate and combined maximum rate of taxation. The



county auditor shall issue a warrant upon the county treasurer for the payment of such allowance as may be ordered by the juvenile judge.

Passed April 28, 1913. Approved May 9, 1913. Filed in office of secretary of state May 13, 1913.

### OKLAHOMA.

[Laws 1907-08, p. 394-5, as amended by article 13, chapter 219, Laws 1913.]

SECTION 4. "*Scholarships*" for wage-earning children of widows.—If any widowed mother shall make affidavit to the effect that the wages of her child or children, under sixteen years of age are necessary to the support of such widowed mother, then the county superintendent of public instruction shall after careful examination, upon the recommendation of the school district board, or board of education, furnish such child or children a certificate called a "scholarship" stating the amount of wages such child or children are receiving, or so much of such wages as shall be deemed necessary so long as such child or children shall attend the public school in accordance with the provisions of this article, which aid shall be allowed and paid upon certificate of the county superintendent of public instruction to the child or children holding such scholarship, by the county commissioners.

No reports available as to the aid being given widowed mothers with young children by the counties under this provision. (Letter from E. A. Duke, assistant superintendent of public instruction, Dec. 24, 1913.)

### OREGON.

[Laws 1913, chap. 42.]

An Act To provide for the assistance and support of women whose husbands are dead or are inmates of some Oregon State institution or who are physically or mentally unable to work and who have a child or children dependent for support wholly or partly upon their labor.

*Be it enacted by the people of the State of Oregon:* SECTION 1. *Allowance to poor mothers.*—Every woman, who has one or more children under the age of sixteen years and whose husband is either dead or is an inmate of some Oregon State institution, or by reason of physical or mental disease is wholly unable to work, and whose support and the support of whose child or children is dependent wholly or partly upon her labor, shall be entitled to the assistance as provided for in this act for the support of herself and of her child or children.

SEC. 2. *Amount of allowance.*—Subject to subsequent provisions of this act, every woman, as provided in section 1, who is herself, and all of whose children are wholly dependent upon her labor for support shall receive from the public moneys of the county in which she and her child or children reside the sum of ten dollars per month for one child, and if she have more than one residing with her, seven dollars and fifty cents per month for each of such additional children.

SEC. 3. Subject to subsequent provisions of this act, every woman, as provided by section 1, who is herself and all of whose children are, partly dependent upon her labor for support shall receive from the public moneys of the county in which she and her child or children shall reside, such a sum per month as, added to her other income (other than that derived from her labor), shall be equal to the amount which she would receive if she was subject to the provisions of section 2 of this act.

SEC. 4. *To whom law does not apply.*—The provision of this act shall not apply to any child which has property of its own sufficient for its support, nor to any child which does not reside with its mother.

SEC. 5. *Purpose of act.*—It is the purpose and intention of this act to keep the children, to which it is applicable, together under the guidance and control of their mother, and that the mother shall make a home for the children; and if, in the judgment of the tribunal which is to administer this law as hereinafter provided, any mother of such children is improvident, careless or negligent in the expenditure of the money received pursuant to this act, such tribunal may direct that such money shall be paid to some person, whom it shall designate, to be used for the support of such mother and children.

SEC. 6. *Jurisdiction.*—The juvenile court in each county or whatever tribunal is charged by law with the discharge of the duties of such court, shall have exclusive jurisdiction in carrying out and administering the provisions of this act.

SEC. 7. *Payment.*—Whenever the tribunal, mentioned in section 6, shall determine that an allowance under this act shall be made, it shall make an order to that effect which order, among other things, shall set out in full the name of the mother, her place of residence, the names and ages of each of the children, and the amount allowed to each child, and upon presentation of such order, the county court shall direct monthly warrants to be drawn therefor.

SEC. 8. *Court may compel attendance of witnesses.*—For the purpose of carrying out the provisions of this act, the tribunal, mentioned in section 6, shall have power to summon witnesses and compel their attendance and pay them the same as witnesses in criminal cases are paid.

SEC. 9. *When allowance shall cease.*—Whenever any woman on whose account any allowance shall have been made under the provisions of this act, shall marry, such allowance shall cease. No allowance for any child shall continue after such child shall have reached the age of sixteen years.

SEC. 10. *Residential requirement.*—This act shall apply only to women who are residents of this State at the time this act is passed or who were residents of the State at the time of the occurrence of the events which entitle them to the benefits of this act as provided by section 1.

Filed in the office of the secretary of state February 10, 1913.

## PENNSYLVANIA.

[Laws 1913, No. 80.]

An Act Applicable to all counties of this Commonwealth, to provide monthly payments, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes. The manner of appointment of the trustees; the administration of the trust; amount of appropriations, proportioning appropriations, coördinate appropriations; amounts to be paid, form of records, eligibility, penalties, and reports, as set forth.

SECTION 1. *Trustees.*—*Be it enacted etc.*, That on and after the passage of this bill, and its approval by the governor of the Commonwealth, the chief executive shall appoint not less than five and not more than seven women, residents of each county desiring to avail itself of the provisions of this act,<sup>1</sup>

<sup>1</sup> Out of the 67 counties in the State only 5 counties—Philadelphia, Allegheny, Luzerne, Schuylkill and Beaver—had made application to the governor for the appointment of trustees up to January 19, 1914. These comprise about 42 per cent of the total population of the State.

to act as trustees, in whom shall be intrusted the carrying into effect the provisions of this act, to provide monthly payment, as approved by the trustees, to indigent, widowed, or abandoned mothers, for partial support of their children in their own homes; such payment to be made direct to the recipient by the State treasurer, upon warrants drawn by the auditor general, and direct to the recipient by the county treasurer. Such payments to continue at the will of the trustees, but not beyond the time that the law will permit a child to secure employment.

SEC. 2. *Administration.*—The administration of this act shall lie solely in the hands of the trustees appointed annually by the governor. They shall serve without pay; but shall be permitted to charge for traveling expenses, in making investigations of cases before a final recommendation is made to the auditor general and county treasurer. The trustees shall provide a headquarters and appoint an investigator, and a stenographer (if necessary) also suitable furnishings, stationery, and postage; but at no time shall the yearly expense be more than three thousand dollars for counties with cities of the first class, twenty-four hundred dollars for counties with cities of the second class, eighteen hundred dollars for counties with cities of the third class, and twelve hundred dollars for counties other than the aforesaid classes, with the exception of the first year, when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars, if necessary, for furnishings. In order to carry the provisions of this act into effect an appropriation of two hundred thousand dollars, from moneys not otherwise appropriated, is hereby made; proportioned to the counties of the Commonwealth, according to their respective population in the census of one thousand nine hundred and ten, by the auditor general and State treasurer; upon the passage and approval of this bill, the State treasurer shall place the proportionate amount of the entire appropriation to the various counties, upon the books of the State treasury, to the credit of the trustees; one-half of which amount shall be available the first year after approval, and the remainder the second year, or until another appropriation may become available: *Provided, however,* That no county, through their trustees or otherwise, shall receive their allotment of the State's appropriation unless an equal amount has been provided by the government of such county desiring the benefits under this act.

SEC. 3. *Conditions and amount of aid.*—The trustees shall in no case recommend payment to any widow or abandoned mother until they are thoroughly satisfied that the recipient is worthy in every way, and that, in order to keep her children in her own home, a monthly payment is necessary; but then only upon satisfactory reports from a teacher in the district school, stating that the child or children of the recipient of this fund are attending school, provided they are of proper age and physically able to do so. The combined total maximum payment shall not exceed twelve dollars per month for one child, twenty dollars per month for two children, twenty-six dollars per month for three children, and five dollars per month for each additional child. These payments to continue at the will of the trustees, but not beyond the time that the law will permit a child to secure employment.

SEC. 4. *Records to be kept.*—Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act—the number of children, their full names, ages, and places of residence—shall be provided: one copy to be on file in the office of the trustees, as a public record; one copy to be kept as a record in the juvenile court, and in counties where no such court exists, the records shall be kept on file in the orphans' court; and one copy to be forwarded with each application for a warrant to the auditor gen-

eral, and one copy to the county treasurer. The copy to the auditor general and the county treasurer shall be sworn to by the investigator, and approved by at least a majority of the trustees.

SEC. 5. *Residential requirement.*—No family shall be a beneficiary under this act unless the mother has been a continuous resident of the county, in which she is applying for the benefits under this act, for a period of three years.

SEC. 6. *Penalty for fraud.*—Any person securing an allowance not entitled thereto shall be declared guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars, or imprisonment for not more than one year, or both, as the court may decide.

SEC. 7. *Report.*—A detailed report of the number of beneficiaries, the amount expended, the advantages and disadvantages of the system, improvements and recommendations, shall be made by the trustees to the members of the general assembly, at the beginning of the session of one thousand nine hundred and fifteen.

SEC. 8. *Repeal.*—All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Approved the 29th day of April, A. D. 1913.

## SOUTH DAKOTA.

[Laws 1913, chap. 275.]

**An Act Entitled, an act to provide for the partial support of women whose husbands are dead, permanently disabled, or prisoners when such women are poor and the mothers of children and empowering the county court to make such allowance, prescribing the conditions under which such allowance shall be made and the extent thereof, and authorizing, empowering and making it the duty of the county commissioners to provide a fund for the carrying out of the provisions of this act, and for the revocation of any order made for such allowance and an appeal for such order, and providing a penalty for attempting to obtain an allowance for a person not entitled to the same.**

*Be it enacted by the Legislature of the State of South Dakota:*

SECTION 1. *Allowance to poor mothers.*—For the partial support of women whose husbands are dead or become permanently disabled for work by reasons of physical or mental infirmity, or whose husbands are prisoners, when such women are poor and are the mothers of children under the age of fourteen years, and such mothers and children have a legal residence in any county of this State, the county court is hereby authorized and empowered to and shall make an allowance to each of such women, upon petition and notice as hereinafter set out, as follows: Not to exceed fifteen dollars a month, when such woman has but one child under the age of fourteen years, and if she has more than one child under the age of fourteen years, it shall not exceed fifteen dollars a month for the first child and seven dollars a month for each of the other children under the age of fourteen years. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period said court may from time to time extend such allowance for a period of six months or less, providing the court is satisfied that such order of extension is proper.

SEC. 2. *Petition—Conditions of allowance.*—Such allowance shall be made by the county court upon a verified petition made by such poor woman or by some member of the board of county commissioners of said county or by any other charitable organization or association within such county. Upon presentation



of such petition to the court the county court shall proceed to examine into the effects and shall make such allowance only upon the following conditions:

1. The child or children for whose benefit the allowance is to be made must be living with the mother of such child or children.

2. The allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with children, except that she may be absent not more than one day a week for work; or when it is deemed and found to be absolutely necessary for the proper care and education of said children;

3. The mother must in the judgment of the court be a proper person morally, physically and mentally, for the bringing up of her child;

4. Such allowance shall in the judgment of the court be necessary to save the child or children from neglect and to avoid the breaking up of the home of such women;

5. It must appear to be for the benefit of child to remain with such mother;

6. A careful preliminary examination of the home of such mother must first have been made by either the State's attorney or some officer of a charities organization or humane society or such other competent person as the court may direct and a written report of such examination filed with the court.

SEC. 3. *When allowance shall cease.*—Whenever any child shall reach the age of fourteen years any allowance made to the mother of such child for the benefit of such child shall cease. The county court may in its discretion at any time before such child reaching the age of fourteen years discontinue or modify the allowance to any mother and for her child.

SEC. 4. *Partial relief.*—Should the fund hereinafter provided for and at the disposal of the court for this purpose be sufficient to permit an allowance to only a part of the persons coming within the provisions of this act, the county court may and shall select those cases in most urgent need of such allowance.

SEC. 5. *To whom law does not apply.*—The provisions of this act shall not apply to any woman who while her husband is imprisoned receives sufficient of his wages to support the child or children.

SEC. 6. *Penalty for fraud.*—Any person or persons attempting to obtain any allowance for a person not entitled thereto shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars or by imprisonment in the county jail for a period not exceeding thirty days or by both such fine and imprisonment.

SEC. 7. *Motion to set aside allowance.*—In each case where an allowance is made to any woman under the provisions of this act an entry to that effect shall be entered upon the records of the county court making such allowance and any citizen of the county may at any time file a motion to set aside or vacate or modify such judgment and on such motion and upon such notice as the county court shall deem proper the said court shall hear evidence and may make a new order sustaining the allowance, modify or vacate the same, and an appeal may be taken from such order to the circuit court or supreme court as in civil actions. If the judgment be not appealed from or if the appeal be not prosecuted and the judgment of the county court be sustained or affirmed the person filing such motion shall pay all the costs incident to the hearing on such motion. Such motion may be renewed from time to time but not oftener than once in any calendar year.

SEC. 8. *County commissioners to levy tax.*—It is hereby made the duty of the county commissioners to provide out of the moneys in the county treasury such sum each year as will meet the requirements of the court and will pay the allowances made by said court as herein provided. To provide for such

moneys the said county commissioners may levy a tax not to exceed one-tenth of a mill on the valuation of the taxable property of the county. The county treasurer shall pay such allowances upon orders made by the judge of the county court of such county.

SEC. 9. *Repeal*.—All acts or parts of acts in conflict with this act are in so far as they conflict with this act hereby repealed.

Approved March 14, 1913.

## UTAH.

[Laws 1913, chap. 90.]

An Act To provide for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children, and giving county commissioners and juvenile court jurisdiction in such matters.

*Be it enacted by the Legislature of the State of Utah:* SECTION 1. *County commissioners to provide funds*.—It shall be the duty of the county commissioners of each county in this State, and they are hereby authorized and empowered to provide funds in an amount sufficient to meet the purposes of this law, but not exceeding in any one year the sum of ten thousand dollars, such funds to be expended for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children.

SEC. 2. *Amount of allowance*.—The allowance to each of such mothers shall not exceed ten dollars a month when she has but one child under the age of fifteen years and if she has more than one child under the age of fifteen years, it shall not exceed the sum of ten dollars a month for the first child and five dollars a month for each of the other children under the age of fifteen years.

SEC. 3. *Conditions of allowance*.—Such allowance shall be made by the county commissioners, except in counties having a population of one hundred and twenty-five thousand or more, the authority, power and duty of determining upon allowance to be made under the provisions of this act shall devolve upon and be exercised by the juvenile judge of the district in and for such counties. Such allowance shall be made only upon the following conditions:

(1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children;

(2) The allowance shall be made only when in the absence of such allowance a mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children;

(3) The mother must in the judgement [judgment] of the county commissioners or juvenile court, be a proper person morally, physically and mentally for the bringing up of her children. [;]

(4) Such allowance shall, in the judgement [judgment] of the county commissioners or juvenile court be necessary to save the child or children from neglect;

(5) No persons [person] shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance.

SEC. 4. *When allowance shall cease*.—Whenever any child shall reach the age of fifteen years, any allowance made the mother of such child for the benefit of such child shall cease. The county commissioners or juvenile court may, in their discretion, at any time before such child reaches the age of fifteen years, discontinue or modify the allowance to any mother and for any child.

SEC. 5. *Partial relief*.—Should the fund herein authorized be sufficient to permit an allowance to only a part of the persons coming within the provisions

of this law, the county commissioners or juvenile court shall select those cases in most urgent need of such allowance.

SEC. 6. *To whom law does not apply.*—The provisions of this law shall not apply to any mother who is not dependent upon her own efforts for the maintenance of her children.

SEC. 7. *Penalty for fraud.*—Any person procuring, or attempting to procure, an allowance for a person not entitled thereto, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as now provided by law for punishment in case of misdemeanors.

SEC. 8. *Motion to set aside allowance.*—In each case where an allowance is made to any mother under the provisions of this act, an entry to that effect shall be entered upon the records of the county commissioners or the juvenile court making such allowance, and it shall be the right of any tax-paying citizen at any time to file a motion to set aside such allowance; and on such motion the county commissioners or juvenile court shall hear evidence, and may make a new order granting or refusing such allowance.

SEC. 9. *Appeal.*—In each case where an allowance is made or refused to any mother, under the provisions of this act, by the county commissioners or juvenile court, an appeal may be taken from such decision by any tax-paying citizen, or by the applicant for an allowance; such appeal shall be subject to the same provisions of law as in case of appeal from justices courts.

Approved March 20, 1913.

#### WASHINGTON.

[Laws 1913, chap. 179.]

An Act Relating to the support of certain destitute women who are mothers, and prescribing penalties for those who fraudulently obtain the benefit thereof.

*Be it enacted by the Legislature of the State of Washington:* SECTION 1. *County aid to mothers.*—In every county it shall be the duty of the county commissioners to provide out of the moneys of the county treasurer an amount sufficient to meet the purposes of this law, for the support of women, whose husbands are dead, or are inmates of a penal institution or an insane asylum or who are abandoned by their husbands and such abandonment has continued for more than one year or because of total disability of their husbands, and who are unable to support their children, when such women are destitute and are mothers of children under the age of 15 years and such mothers and children reside in such counties.

SEC. 2. *Amount of allowance.*—The allowance to each of such women shall not exceed fifteen (\$15) dollars per month when she has but one child under the age of 15 years, and if she has more than one child under the age of 15 years, it shall not exceed the sum of fifteen dollars a month for the first child, and five dollars a month for each of the other children under the age of 15 years.

SEC. 3. *Juvenile court to make allowance—Conditions.*—Such allowance shall be made by the juvenile court in the counties where such court is held and elsewhere by the superior court, and only upon the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) when by means of such allowance the mother will be able to maintain a home for her child or children; (3) the mother must, in the judgment of the court, be a proper person morally, physically and mentally, for the bringing up of her children; (4) no person shall receive the benefit of this act who shall not have been a resident of a county in



which such application is made for at least one year next before the making of such application for such allowance.

SEC. 4. *When allowance shall cease.*—Whenever any child shall reach the age of 15 years any allowance made to the mother of such child for the benefit of such child shall cease. The court may in its discretion at any time before such child reaches the age of 15 years, discontinue or modify the allowance to any mother and for any child.

SEC. 5. *Penalty for fraud.*—Any person procuring fraudulently any allowance for a person, not entitled thereto, shall be deemed guilty of a gross misdemeanor.

SEC. 6. *Court proceedings—Payment of warrants.*—In each case where an allowance is made to any woman under the provisions of this act, an order to that effect shall be entered upon the records of the court, making such allowance. Proceedings to obtain the benefit of this act shall be instituted and maintained in the same manner as proceedings are instituted and maintained in the juvenile court and the prosecuting attorney shall render all necessary assistance to applicants under this act and shall appear in every such proceeding and through the probation officer, the charity commissioner or any person having knowledge of the facts, shall carefully investigate the merits of every application to the end that this act may be fairly administered and no person granted relief hereunder except those justly entitled thereto, and no officer of the court or county officer shall receive any fees for any service rendered in carrying out the provisions of this act. A certified copy of said order shall be filed with the county auditor of the county in which such child's mother is resident, and thereupon and thereafter and so long as such order remains in force and unmodified it shall be the duty of the county auditor each month to draw his warrant on the current expense fund of the county in favor of the mother for the amount specified in such order, which warrant shall be by the auditor delivered to the mother upon her executing duplicate receipts therefor, one to be retained by the auditor and the other to be filed by the clerk with the other records in the proceedings relating to such child or children. It shall be the duty of the county treasurer to pay such warrant out of funds in the current expense fund of the county.

SEC. 7. *Repeal.*—All acts or parts of acts in conflict with this act are hereby repealed.

Approved March 24, 1913.

The following sections from the juvenile court act relating to the method of instituting and maintaining proceedings in the juvenile court are made applicable by section 6 of the above act:

[Laws 1913, chap. 160.]

SEC. 5. *Petition.*—Any person may file with the clerk of the superior court a petition showing that there is within the county, or residing within the county, a dependent or delinquent child and praying that the superior court deal with such child as provided in this act: *Provided*, That in counties having paid probation officers, such officers shall, as far as possible, first determine if such petition is reasonably justifiable. Such petition shall be verified and shall contain a statement of facts constituting such dependency or delinquency, as defined in section 1 of this act, and the names and residence, if known to the petitioner, of the parents, guardian, or custodian of such dependent or delinquent child. There shall be no fee for filing such petitions.

SEC. 6. *Summons.*—Upon the filing of an information, or the petition, the clerk of the court shall issue a summons requiring the person having custody or control of the child, or with whom the child may be, to appear with the child



at a place and time stated in the summons, which time shall not be less than twenty-four hours after service. The parents of the child, if living, and their residence is known, or its legal guardian, if there be one or if there is neither parent nor guardian, or if his or her residence is not known, then some relative, if there be one, and his residence is known, shall be notified of the proceedings; and in any case the judge shall appoint some suitable person or association to act in behalf of the child. \* \* \* On return of the summons or other process, or as soon thereafter as may be, the court shall proceed to hear and dispose of the case in a summary manner. \* \* \*

In King County (juvenile court of Seattle) from June 13, 1913, when the law became effective, to December 31, 1913, 185 petitions were received, of which number 99 were granted, 61 were deferred and dismissed, and 25 were pending December 31, 1913. The average monthly allowance per family was \$20.32; total monthly allowances, \$2,012.50. Two hundred and ninety-one children in the 99 families were being benefited by the allowances. (Annual Report of Seattle Juvenile Court, 1913, p. 8.)

#### FORMS USED IN JUVENILE COURT OF KING COUNTY (SEATTLE).

##### PETITION.

In the superior court of the State of Washington for the county of King—Juvenile court.

In re the application of ———. No. ———. Petition for support of mothers.

*To the honorable judge of the juvenile court:*

Your petitioner, ———, a reputable person, respectfully represents to your honor that she now is and for more than one year last past has been a resident of King County, Washington; that she is the mother of ——— children under the age of 15 years now residing within said county and not inmates of any institution, public or private, and are dependent upon your petitioner or the public for maintenance and support; that the names and ages of said children are as follows:

Name.	Birthday.		Year.
	Month.	Day.	

Your petitioner represents that the father of said children is ———, that your petitioner is in destitute circumstances, owning no property whatsoever, except ———, and by reason thereof in order to maintain the home and support said children your petitioner will require aid as provided in an act relating to the support of certain destitute women who are mothers; that the statements set out in the sheet hereto attached and duly verified are true and are hereby made a part of this petition.

Wherefore your petitioner prays this honorable court to inquire into the aforesaid circumstances and investigate as to the truth of the matters herein contained in pursuance of law and upon such investigation and hearing to be duly had, such orders may be made in the premises as to this honorable court may seem meet according to equity and good conscience, and according to the statute in such case made and provided.

—————, *Petitioner.*

##### NOTICE.

In the superior court of the State of Washington for the county of King—Juvenile court.

In re the application of ———. No. ———. Notice.

*To the honorable prosecuting attorney and board of county commissioners of King County, Washington:*

Please take notice that a petition has been filed by ———, praying for an allowance under and in pursuance of an act relating to the support of certain destitute women who are mothers, which said petition will be brought on regularly for hearing in the juvenile court on the ——— day of ———, 191—, at 10 a. m. of said date, or as soon thereafter as the matter can be heard. You will therefore appear on said date, if you have any objections to granting said petition, and duly contest the same.

—————, *Judge.*

Service of the aforesaid notice is hereby accepted this ——— day of ———, 191—.

—————, *Prosecuting Attorney.*

—————, *Chairman Board of County Commissioners.*

## APPLICATION AND REPORT OF INVESTIGATION.

Name of child.....	Docket number, ———, dependency record of Seattle juvenile court.
Address.....	
Date of birth.....	
Name of father.....	
Name of mother.....	Investigation and report by..... Sources of information.....
Name of petitioner.....	
Address of petitioner.....	
Date of petition.....	

Report of investigator and summary of case history. (Report to be typewritten.)

Surname.....	Man's first.....	Woman's first.....	Date of application....
Alias.....	Other names needed for identification.....		Social state....

Cross references.....

Date.	Res. No.	Street.	Rooms.	Floor.	F. or R.	Rent.	How long.	Sanitary condition.	Landlord or agent. Address.	Dist.

First names.	Date of birth.	Birth- place.	Occupation or school with grade.	Wages.	Left sch. at age of.	Amt. of ins.	Prem.	Cause of death.	Date of death.	Mental or physical defects and illiteracy.
Man.										
Woman's maiden name.										
Children.										
Others in family.					Kin- ship.	To.	Contributes to family.			

Union.	Lodge.	Benefit Society.	Other sources of income.	Amt.	Pawns.	Install- ments.	Debts to.	Amt.	For.
Weekly benefit.									

Race.	Length of time in—			Marriage.			Previous marriage.	Property.
	County.	State.	U. S.	Date.	Place.	By whom.		
Man.....								Do you own any?... What if any did your husband leave? ..
Woman.....								

Relatives, references.	Address.	Kinship.	Agencies and persons interested.	Relief given.

Employer.	Wages.	Record.	Church or Sunday school.
.....	.....	.....	Man .....
.....	.....	.....	Woman .....
.....	.....	.....	Children .....

State of Washington, county of King, ss.

\_\_\_\_\_, being first duly sworn, on oath doth depose and say that the written statements under the various printed headings on the preceding page of this application were voluntarily made by this affiant and written thereon by direction of this affiant, and that the statements therein, both written and printed are true in substance and in fact.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 191—.

\_\_\_\_\_, Clerk.  
By \_\_\_\_\_, Deputy.

Date of hearing.	Court orders and subsequent history.
.....	.....

#### FINDINGS OF COURT.

In the superior court of the State of Washington for the county of King—Juvenile court.

In re petition of \_\_\_\_\_, destitute. No. \_\_\_\_\_. Findings.

This matter coming on regularly and duly to be heard upon the petition filed herein, and it appearing to the court that the prosecuting attorney, the board of county commissioners, the aforesaid destitute woman, and all persons interested herein have had due notice of this proceeding according to the statute in such cases made and provided, and the court having jurisdiction of the subject matter and of the parties, and after hearing all the evidence adduced, and being fully advised in the premises, finds:

That \_\_\_\_\_, the petitioner, is a reputable person and has resided in King County, State of Washington, for more than one year last past; that the husband of said petitioner, \_\_\_\_\_; that petitioner is the mother of \_\_\_\_\_ child— under the age of fifteen years, as follows:

Name.	Born.		
	Month.	Day.	Year.
.....	.....	.....	.....

That by reason of the aforesaid facts petitioner is destitute, poor, and unable to properly care for said child— without assistance, but otherwise she is a proper guardian.

The court further finds that all of the allegations of the petition have been proven, and that it is for the welfare of such child— and for the best interests of the people of the State of Washington that said child— remain at home with \_\_\_\_\_ parent—, the petitioner,

And the court further finds from the testimony heard in open court that the sum of \_\_\_\_\_ dollars (\$\_\_\_\_\_) per month is the amount of money necessary to enable the parent, together with her earnings otherwise, to properly care for said child— at home.

Done in open court this \_\_\_\_\_ day of \_\_\_\_\_, 191—.

\_\_\_\_\_, Judge.

#### ORDER PROVIDING SUPPORT.

In the superior court of the State of Washington for the county of King—Juvenile court.

In re petition of \_\_\_\_\_, destitute. No. \_\_\_\_\_. Order providing support.

Upon the findings herein made and filed in the above-entitled proceedings, it is ordered that the said child— \_\_\_\_\_ be and remain \_\_\_\_\_ ward \_\_\_\_\_ of this court, and that \_\_\_\_\_ be and remain in the custody of \_\_\_\_\_, parent— of said child—, subject to the friendly visitation of the probation officers of this court, as frequently as may be directed by the court.

It is further ordered, adjudged, and decreed that the sum of \_\_\_\_\_ dollars per month be and is hereby fixed by the court as the amount of money necessary to enable the parent to properly care for said child— at home, and that the board of county commissioners of King County, State of Washington, shall make provision for the necessary moneys to meet the purposes of this order, and that upon the filing of a certified copy of said order with the county auditor of King County, said auditor is directed on the first Monday of \_\_\_\_\_, 191—, and monthly thereafter until the further order of the court, to draw his warrant on the current expense fund of the county, in favor of the

petitioner, \_\_\_\_\_, for the amount specified in this order, as her relief for the preceding month, and deliver the same to her upon her executing duplicate receipts therefor, as provided by law.

It is further adjudged that the court hereby retains jurisdiction of this cause for the purpose of making such further orders herein for the welfare of said child— and said destitute \_\_\_\_\_ as shall from time to time be found to be in accordance with equity and good conscience, and in pursuance of law.

Done in open court this \_\_\_\_\_ day of \_\_\_\_\_, 191—.

\_\_\_\_\_, Judge.

In the superior court of the State of Washington for the county of King—Juvenile court.

In re petition of \_\_\_\_\_, destitute. No. \_\_\_\_\_. Order providing support.

Upon the findings herein made and filed in the above-entitled proceedings, it is ordered that the said child— \_\_\_\_\_ be and remain \_\_\_\_\_ ward \_\_\_\_\_ of this court, and that —he— be and remain in the custody of \_\_\_\_\_, parent— of said child—, subject to the friendly visitation of the probation officers of this court, as frequently as may be directed by the court.

It is further ordered, adjudged, and decreed that the sum of \_\_\_\_\_ dollars per month be, and is hereby, fixed by the court as the amount of money necessary to enable the parent to properly care for said child— at home, and that the board of county commissioners of King County, State of Washington, shall make provision for the necessary moneys to meet the purposes of this order, and that upon the filing of a certified copy of said order with the county auditor of King County, said auditor is directed, on the first Monday of \_\_\_\_\_, 191—, and monthly thereafter until the further order of the court, to draw his warrant on the current expense fund of the county, in favor of the petitioner, \_\_\_\_\_, for the amount specified in this order, as her relief for the preceding month, and deliver the same to her upon her executing duplicate receipts therefor, as provided by law.

It is further adjudged that the court hereby retains jurisdiction of this cause for the purpose of making such further orders herein for the welfare of said child— and said destitute \_\_\_\_\_ as shall from time to time be found to be in accordance with equity and good conscience, and in pursuance of law.

Done in open court this \_\_\_\_\_ day of \_\_\_\_\_, 191—.

\_\_\_\_\_, Judge.

State of Washington, county of King, ss:

I, \_\_\_\_\_, county clerk, and by virtue of the laws of the State of Washington ex officio clerk of the superior court of the State of Washington for King County, do hereby certify that the above is a true and correct copy of the order granting pension in the above-entitled action now on file and of record in this office.

In witness whereof I have hereunto set my hand and seal of the said superior court, at my office in the city of Seattle, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 191—.

\_\_\_\_\_, County Clerk.  
By \_\_\_\_\_, Deputy Clerk.

## WISCONSIN.

[Laws 1913, chap. 669.]

An Act To repeal section 573f of the statutes and to create subsections 50 and 51 of section 172-67 and a new section of the statutes to be numbered 573f, relating to State aid for dependent children; and making an appropriation.

*The people of the State of Wisconsin, represented in senate and assembly, do enact as follows:* SECTION 1. Section 573f of the statutes is repealed.

SEC. 2. *Petition to court for aid.*—There is added to the statutes two new subsections and a new section to be numbered and to read: Section 573f. 1. The county superintendent of poor, the superintendent of poor, in any city or village, the chairman of any town or any relative or friend of any child under the age of fourteen years, who is neglected, destitute, abandoned, homeless, or in any manner dependent upon the public for support, or whose parent or parents, or person occupying the position of a parent, for any reason are unable without aid, properly to maintain, bring up or educate such child, may make an application by verified petition to the juvenile court in counties having such courts, and in other counties, to the county court or any municipal court of the county in which such child may reside, to determine the status of such child and to grant aid to it or to its parents or person occupying the position of a parent or guardian as provided in this section, or, in case the court shall find it is manifestly for the best interests of the child that it be removed from its home, then and in such case only to commit such child to the State public



school, or to place such child in the home of a relative or friend of the family, or make such other disposition of such child as it may deem wise. The petition shall state the religion or religious preference of the parents of such child.

2. *Hearing.*—On filing such petition, if the child named therein is present in court, the court may proceed forthwith to hear such matter or may continue the same. If such child be not produced the court may fix a time for hearing such matter and summon the person having the custody thereof to produce said child in court, unless for any reason the court shall consider it inadvisable so to do, in which case the court may proceed without the presence of such child. In either case the court may summon witnesses and require the attendance and assistance of the district attorney. The parents or any friend of such child may appear on its behalf and the court may order such appearance by the county superintendent of poor, the superintendent of poor in any city or village, or the chairman of any town in which such child may reside.

3. *Court to fix allowance or commit to State school.*—If the court shall find upon such hearing that such child is neglected, destitute, abandoned, homeless, or in any manner dependent upon the public for support, or that the parent or parents of such child are unable properly to maintain, bring up or educate such child, and, if in the discretion of the court, it is manifestly for the best interest of said child that it remain in the home of the parent or parents or other person occupying the position of a parent or guardian, it shall enter an order directing the county treasurer to pay, at stated periods, to such officer or person as the court may designate or to the parent, or person occupying the position of a parent or guardian of such child, and for the benefit of such child, such sum as shall be deemed sufficient, payments to continue for a limited time or until further order of the court: *Provided*, That such sum shall in no case exceed the sum of twelve dollars per month for a single child and four dollars per month for each additional child in the same family but such sum when granted may be increased temporarily by the court in case of sickness or unusual condition: *And provided further*, That the court in its discretion may order the amount of aid to be given in supplies instead of in money. If the court shall find that it is manifestly for the best interest of such child that it be removed from its home, then and in such case only, the court shall commit such child to the State public school, or may place it in the home of a relative or friend of the family, or make such other disposition of such child as it may deem wise; and if such child be placed in the home of a relative or friend, the aid granted shall be paid to such relative or friend.

4. *Court may order medical examination of child.*—If the court shall find that it is manifestly for the best interest of said child to be committed to the State public school, before entering such order it shall cause such child to be examined by the county physician, if there be one, and if there be none, by a registered practicing physician, who shall file an affidavit setting forth the facts disclosed by said examination. If such affidavit shall show such child to be of sound mind and not affected by any chronic or contagious disease and that such child has not been exposed to any contagious disease for fifteen days previous to such examination, the order committing such child may be entered. If such affidavit shall show otherwise, the order shall not be entered at that time and the court may make such temporary disposition of such child as may seem best, and order support, if necessary, as provided in the preceding section, until such time as it may be committed to the State public school.

5. *Copy of findings to be delivered with child.*—A certified copy of such findings and order and a statement of the child, names, residence and religion or religious preference of the parents and their post-office address, the name of the institution or other place in which the child has been maintained and the

length of time such maintenance has been continued, with a copy of the certificate of the physician, shall be delivered with the child at the State public school.

6. The proceedings provided for by this section may include two or more children, all of whom may be named in the same petition, order and certificate.

7. *Person having custody of child to make report.*—Any person designated by the court to administer any aid granted under the provisions of this section shall keep a true and accurate account thereof and shall, once each month, make report thereof to the court ordering such aid and also to the county clerk. Such report shall be made upon blanks furnished by the board of control and shall contain such data as the board of control may determine and such further information as the judge may require.

8. *Court to report to board of control.*—The court having jurisdiction under this section to receive applications for aid shall once each month cause to be reported to the board of control all of the applications received during the preceding month, and shall cause to be set forth in such report the disposition of each such application. Such reports shall be made upon blanks furnished by the board of control. The board of control may, from time to time, demand such information as it desires relative to matters coming within the purview of this section.

9. *County board may appropriate funds.*—The county board of supervisors may annually appropriate out of the funds in the county treasury such an amount as it shall deem sufficient to carry out the provisions of this section. Money so appropriated shall be placed in a special fund and shall be paid out by the county treasurer upon order of the court having jurisdiction to receive applications and grant aid under this section.

10. *County treasurer to report to board of control—State aid.*—On the first day of January of each year the county treasurer shall certify under oath, in duplicate, to the secretary of state and the State board of control the amount paid out by such county during the preceding year for aid under this section, and if the board of control shall approve the same and shall cause its approval to be indorsed by the president and secretary of said board on the certificate received by the secretary of state, the secretary of state shall credit one-half of the amount so certified to be due such county on the State taxes next due therefrom, and the State treasurer shall credit such county with said one-half of such amount in his annual settlement with said county for taxes due the State: *Provided*, That the amount paid by the State to any county in any one year shall not exceed a sum equal to one dollar for each thirty inhabitants thereof: *Provided further*, That if the total amount paid by all the counties under this act as certified by the county treasurers shall exceed the sum appropriated by subsection 51 of section 172—67, the secretary of state and the State treasurer shall prorate the said sum among the various counties according to the amount paid out.

11. *Board of control to investigate.*—The board of control shall make a general survey and investigation of the question of aid to mothers and dependent children in this State and shall report its findings and recommendations to the next legislature not later than March 1, 1915.

(Section 172—67) 50. There is appropriated from any moneys in the general fund not otherwise appropriated, the sum of five thousand dollars or as much thereof as may be necessary to investigate the question of aid to mothers and dependent children as required in subsection 11 of section 573f.

51. *Appropriation.*—There is annually appropriated out of any moneys in the general fund not otherwise appropriated, a sum not to exceed seventy-five

thousand dollars as State aid to dependent children to carry into effect the provisions of section 573f, said sum to be offset in the manner provided in subsection 10 of section 573f.

SEC. 3. This act shall take effect and be in force from and after its passage and publication.

Approved July 24, 1913. Published July 26, 1913.

#### OPERATION OF LAW.

In Milwaukee County, prior to the passage of this act, aid to poor mothers for the support of dependent children in their own homes was being given out of a special fund of \$5,000 set aside by the county board in March, 1912, such fund "to be used and drawn upon by the trustees of the Milwaukee County Home of Dependent Children in such cases of dependent and neglected children pending in the juvenile court of Milwaukee County where said board, from the evidence there taken and upon the advice of the presiding judge of such court, decides and determines that it is for the best interests of the family to give such family financial assistance instead of detaining such child or children in said Milwaukee County Home for Dependent Children." The amount paid to the mothers varied from \$1.50 to \$8 a week. During the month of October, 1912, 43 women with 209 children received aid at a cost for the month of \$490.

Under the new law up to December 31, 1913, fifteen counties (Douglas, Iowa, Lincoln, Marathon, Milwaukee, Polk, Rusk, St. Croix, Shawano, Taylor, Trempealeau, Vernon, Washburn, Washington, and Wood) had appropriated for mothers' pensions a total of \$37,150. Of this amount Milwaukee County appropriated \$25,000. Payment of pensions had, however, been made in only five of these counties (Iowa, Marathon, Milwaukee, Shawano, and Washington), totaling \$9,632 up to December 31, 1913. One hundred and eighty-seven families (667 children) were being aided in these five counties, 162 of them (590 children) in Milwaukee County.

#### FORMS ADOPTED BY STATE BOARD OF CONTROL.

##### PETITION TO THE COURT TO DETERMINE THE STATUS OF CHILDREN ALLEGED TO BE DEPENDENT OR NEGLECTED.

State of Wisconsin, county of \_\_\_\_\_, ss. \_\_\_\_\_ court of \_\_\_\_\_.

To \_\_\_\_\_, judge of the \_\_\_\_\_ court of \_\_\_\_\_. In the matter of \_\_\_\_\_, alleged dependent child—

Your petitioner—respectfully represent—to the court that \_\_\_\_\_; that in \_\_\_\_\_ opinion said child—dependent on the public for support; that \_\_\_\_\_ under the age of fourteen years; and that \_\_\_\_\_ ha—no parents against whom support can be enforced as provided by law.

Your petitioner—further represents that the following is a correct statement of the facts so far as \_\_\_\_\_ able to ascertain them.

1. Name of father (give name in full, avoid giving initials only), \_\_\_\_\_; city or village, \_\_\_\_\_.
2. P. O. address of father, \_\_\_\_\_; street and number, \_\_\_\_\_; R. F. D. \_\_\_\_\_.
3. Is father dead? \_\_\_\_\_.
4. Name of mother (give name in full, avoid giving initials only), \_\_\_\_\_; city or village, \_\_\_\_\_.
5. P. O. address of mother, \_\_\_\_\_; street and number, \_\_\_\_\_; R. F. D. \_\_\_\_\_.
6. Is mother dead? \_\_\_\_\_.
7. Has father abandoned child?—\_\_\_\_\_.
8. Has mother abandoned child?—\_\_\_\_\_.
9. Occupation of father? \_\_\_\_\_.
10. Occupation of mother? \_\_\_\_\_.
11. Religious belief of father? \_\_\_\_\_.
12. Of mother? \_\_\_\_\_.

Your petitioner—therefore pray—this court to examine into this case and to determine the status of such child—, and should such child—be found neglected, destitute, abandoned, homeless, or in any manner dependent upon the public for support, or if \_\_\_\_\_ parent or parents are unable, without aid, to properly maintain, bring up, or educate such child—, that an order be entered in this court granting such relief or making such disposition of the case as the court deems proper.

Dated, \_\_\_\_\_, 19\_\_\_\_.

(Signed) \_\_\_\_\_ (give official title).  
(Signed) \_\_\_\_\_ (give official title).

NOTE.—Crippled children will be received at the State public school if they are able to go up and down stairs alone and wash and dress themselves.

State of Wisconsin, county of \_\_\_\_\_, ss. \_\_\_\_\_ court of \_\_\_\_\_.

To \_\_\_\_\_, judge of the \_\_\_\_\_ court of \_\_\_\_\_.  
The undersigned, \_\_\_\_\_ of the within-named child—, hereby re-

spectfully request— that an order be entered in this court finding such child— to be



dependent upon the public for support, and that the court shall determine the status of said child— and make such disposition of the case as the court may deem proper.

Dated, \_\_\_\_\_, 19\_\_\_\_.  
In presence of—

\_\_\_\_\_  
\_\_\_\_\_

MONTHLY REPORT OF PARENT, GUARDIAN, OR OTHER PERSON RECEIVING AID FOR THE CARE AND SUPPORT OF DEPENDENT CHILDREN UNDER PROVISIONS OF CHAPTER 669, LAWS OF 1913.

NOTE.—Read these instructions carefully before attempting to make out this report. This report is required by law.

EXTRACT FROM LAW.

Section 573f-7. (Chapter 669, Laws of 1913.) Any person designated by the court to administer any aid granted under the provisions of this section shall keep a true and accurate account thereof and shall, once each month, make report thereof to the court ordering such aid and also to the county clerk. Such report shall be made upon blanks furnished by the board of control, and shall contain such data as the board of control may determine and such further information as the judge may require.

On the first day of each month all persons designated by the court to administer any aid granted under the provisions of the above-named law must fill out this report blank. One copy should be sent to the county clerk of the county in which such person resides, and the other to the judge of the court in which this aid was granted. Your report should never reach the county clerk or the judge of the court where the aid was granted later than the 5th day of each month.

This report should include all the money received and paid out by all members of the family which reside at home. It should include the earnings of the father, if any, the earnings of the mother, if any, and the earnings of the children, providing there should be any children residing at home who are of sufficient age to earn money. Always give the exact amount received from the county treasurer as aid. If any money is received as gifts or aid from other charitable sources include this also. Include all money received, and give source from which it came. Do not include any money that may have been earned during the month but not received by you during the month. If you or some member of the family has earned some money that has not been received do not include same in your report until it is actually paid to you. This report covers the entire month, from the morning of the first day up to and including the last day of the month.

1. Date, \_\_\_\_\_, 19\_\_\_\_. 2. Report for the month of \_\_\_\_\_, 19\_\_\_\_. 3. Name of person making this report, \_\_\_\_\_ 4. P. O. address of person making this report: City or village, \_\_\_\_\_; street and number, \_\_\_\_\_; R. F. D. \_\_\_\_\_.

5. In the following space give the number of days each child has attended school during the month, the number of times each child has attended church during the month, the health of each child during the month, and such other facts as are called for.

Names of all children who reside at home.	Age, nearest birthday.	Number of days child has attended school during the month.	Number of times child has attended church during the month.	Health of child during the month.

6. Money received during the month (see instructions above).	Amount received.
(a) How much money did you have left over at the beginning of the month? .....	
(b) How much did you receive during the month from the county treasurer as aid? .....	
(c) What was the total amount received during the month as wages of the father? .....	
(d) What was the total amount received during the month as earnings of the mother? .....	
(e) Was any money received during the month which was earned by the children? If so, how much? .....	
(f) Give here a list of all other money received from every source and tell where it came from and what it was for: .....	
Total amount of money to account for. ....	



7. In the following space give a detailed list of all money paid out during the month. (See instructions on the other side of this sheet.)

Date.	To whom paid.	In payment of—	Amount.
Total amount of money paid out during the month.....			
Balance still in your possession at the end of the month.....			
Total.....			
(This total should equal the total at the bottom of the preceding page.)			

8. Were any members of the family, including the father and the mother, severely injured or afflicted with any severe illness during the past month? \_\_\_\_\_. If so, describe fully. \_\_\_\_\_.

NOTE.—In the case of a death, birth, or marriage in the family, the fact should be reported in the above space.

9. This space is left for reporting to the judge who granted you the aid any special information which he may require. \_\_\_\_\_.

Date, \_\_\_\_\_, 19—.

#### DECLARATION.

I solemnly declare that the foregoing is a complete and true statement of all money received and paid out by me during the past month and that all questions are correctly answered, to the best of my knowledge and belief.

(Signed) \_\_\_\_\_.

In presence of—

\_\_\_\_\_, witness.

\_\_\_\_\_, witness.

(Not members of same family as person making report.)

#### REPORT OF THE COURT TO THE STATE BOARD OF CONTROL OF WISCONSIN IN THE MATTER OF DEPENDENT CHILDREN.

NOTE.—This report is required by authority of chapter 669, Laws of 1913.

Whenever a petition is received by the court to determine the status of children alleged to be dependent or neglected, a report of the action and findings of the court should be made to the State board of control of Wisconsin. This report should be made in all cases whether the court grants the aid to the children or not.

In case the court shall find it manifestly for the best interests of the children that they be committed to the State public school, then this blank should be made out in duplicate and one copy mailed to the office of the State board of control of Wisconsin and the other sent with the commitment papers to the superintendent of the State public school, Sparta, Wis.

Officials making out this blank should answer all questions as completely as possible.

County of \_\_\_\_\_. Date petition was received by the court \_\_\_\_\_, 19—. The petition was signed by whom \_\_\_\_\_ (give official capacity); \_\_\_\_\_ (give official capacity).

Name of child.	Date of birth.			Place of birth.
	Month.	Day.	Year.	
				If born in Wisconsin, give county. If born in United States, give State. If foreign-born, give country.

1. Name of father (give name in full, avoid giving initials only) \_\_\_\_\_. city or village \_\_\_\_\_. 2. P. O. address of father—street and number \_\_\_\_\_. R. F. D. \_\_\_\_\_. 3. Is father dead? \_\_\_\_\_. 4. Name of mother (give name in full, avoid giving initials only) \_\_\_\_\_. city or village \_\_\_\_\_. 5. P. O. address of mother—street and number \_\_\_\_\_. R. F. D. \_\_\_\_\_. 6. Is mother dead? \_\_\_\_\_. 7. Has father abandoned child—? \_\_\_\_\_. 8. Has mother abandoned child—? \_\_\_\_\_. 9. Occupation of father \_\_\_\_\_. 10. Occupation of mother \_\_\_\_\_. 11. Religious belief of father \_\_\_\_\_. 12. Of mother \_\_\_\_\_. 13. Is father intemperate? \_\_\_\_\_. 14. Is mother intemperate? \_\_\_\_\_. 15. Has father ever been under arrest for violation of the law? \_\_\_\_\_. 16. Has he ever been committed to the county jail, city workhouse, State reformatory, State prison, or any other penal institutions in this or any other State, as far as can be ascertained? \_\_\_\_\_. 17. If so, when? \_\_\_\_\_. length of time served \_\_\_\_\_. crime convicted of \_\_\_\_\_. in what institution \_\_\_\_\_. 18. Has mother ever been under arrest for violation of the law? \_\_\_\_\_. 19. Has mother ever been committed to the county jail, city workhouse, State prison, or any other penal institu-

tions in this or any other State, as far as can be ascertained? \_\_\_\_\_. 20. If so, when? \_\_\_\_\_. 21. Character of father \_\_\_\_\_. 22. Character of mother \_\_\_\_\_. 23. Birthplace of father \_\_\_\_\_. (if born in Wisconsin, give county; if born in United States, give State; if foreign born, give country). 24. Birthplace of mother \_\_\_\_\_. 25. If foreign born, have both parents been naturalized? \_\_\_\_\_. 26. How long has father resided in Wisconsin? \_\_\_\_\_. 27. How long has mother resided in Wisconsin? \_\_\_\_\_. 28. Age of father (nearest birthday) \_\_\_\_\_. 29. Age of mother (nearest birthday) \_\_\_\_\_. 30. Nationality or descent of father \_\_\_\_\_. 31. Nationality or descent of mother \_\_\_\_\_. 32. Health of father \_\_\_\_\_. 33. Health of mother \_\_\_\_\_. 34. Is father employed at present? \_\_\_\_\_. 35. If not, why not? \_\_\_\_\_. 36. When was he last employed and with whom? \_\_\_\_\_. 37. What are his present wages (state whether per month, per week, or per day)? \_\_\_\_\_. 38. Is father addicted to the use of drugs? \_\_\_\_\_. 39. Is mother addicted to the use of drugs? \_\_\_\_\_. 40. Has either parent ever been adjudged insane? \_\_\_\_\_. If so, which one? \_\_\_\_\_. 41. Is either parent feeble-minded or epileptic? \_\_\_\_\_. 42. Was either parent ever an inmate of any poorhouse, almshouse, or any other institution for paupers? \_\_\_\_\_. 43. If so, when? \_\_\_\_\_. Where? \_\_\_\_\_. 44. Has either parent ever been an inmate of any other penal or charitable institution not enumerated above? \_\_\_\_\_. 45. If so, when? \_\_\_\_\_. Where? \_\_\_\_\_. 46. Has child—ever been christened? \_\_\_\_\_. 47. If so, in what faith? \_\_\_\_\_. 48. Has child ever been under arrest for violation of the law? \_\_\_\_\_. If so, give particulars \_\_\_\_\_. 49. Has child—ever been maintained by charity? \_\_\_\_\_. 50. Has child—ever been an inmate of any charitable, reformatory, or penal institution? \_\_\_\_\_. 51. If so, when? \_\_\_\_\_. Name and address of institution \_\_\_\_\_. 52. What diseases of childhood has child—had? \_\_\_\_\_. 53. What is the legal residence of the child—? \_\_\_\_\_. 54. Give the following information in regard to all the other children of this family not included in the application for relief:

Name.	Sex.	Age nearest birthday.	Living (yes or no).	What are they doing at present?

## DISPOSITION OF CASE.

A. If committed to the State public school: 1. Date of commitment \_\_\_\_\_. 19—.

2. Names of children committed: \_\_\_\_\_.

B. If an order was entered directing the county treasurer to make certain payments as aid in accordance with the provisions of chapter 669, Laws of 1913: 1. Date the order was entered \_\_\_\_\_. 19—.

2. Amount to be paid as aid each month, \$ \_\_\_\_\_. 3. Person to whom money is to be paid: Name \_\_\_\_\_. P. O. address \_\_\_\_\_. relationship to child \_\_\_\_\_. 4. Date when payments are to begin \_\_\_\_\_. 19—.

5. Length of time payments are to continue \_\_\_\_\_. 19—.

C. If no aid was granted, what were the reasons assigned by the court for denying such aid? (State briefly the findings of the court.) \_\_\_\_\_.

Dated, \_\_\_\_\_, 19—.

(Signed) \_\_\_\_\_, Judge.

## DANISH LAW REGARDING ASSISTANCE TO CHILDREN OF WIDOWS, 1913.

[Law regarding assistance to children of widows (Lov om Understøttelse til Børn af Enker. Lov Nr. 124, 29 April, 1913).]

SECTION 1. Widows who are considered indigent shall, provided they are entitled to support in cases of continuous need, have the right to a public contribution toward the support and education of their legitimate children or children adopted under marriage, without the disabilities attaching to poor relief.<sup>1</sup>

A widow is considered indigent whose property does not exceed 4,000 kr. [\$1,072], with the addition of 500 kr. [\$134] for each child under 14 years, and whose income does not exceed two-thirds of the amount exempt from state taxation in the commune concerned, pursuant to Law No. 144 of June 8, 1912, section 8, paragraph 1, with the addition of 100 kr. [\$26.80] for each child under 14 years of age. In exceptional circumstances the local board<sup>2</sup> may, at its discretion, decide whether such a widow shall be deemed indigent and, if so, whether she shall have the full assistance hereinafter mentioned, or whether this can be reduced to one-half.

The assistance amounts to—

100 kr. [\$26.80] yearly until the child is 2 years.

80 kr. [\$21.44] yearly until the child is 12 years.

60 kr. [\$16.08] yearly until the child is 14 years.

The assistance ceases if the mother remarries; if she leads a life which gives public offense (habitual drunkenness, immorality, or like offenses); if she receives help from the poor relief (*Fattigvaesen*) or from a relief fund (*Hjælpekasse*) which has a grant from the communal funds, or from the communal section of the Copenhagen relief society. The assistance is likewise withdrawn if her economic condition essentially improves by an increase in her property or income not originating from her own or her children's work.

Assistance to the mother under sections 44, 61, and 63<sup>3</sup> of the poor law does not have this result, neither does aid from the relief funds or the communal section of the Copenhagen relief society in case of sickness of the mother or children.

The contribution may in exceptional cases be extended to the 18th year.

SEC. 2. The subsistence-allowance (*Underholdsbidrag*) is payable to the widow concerned quarterly, eventually monthly, in advance; the first time for the quarter or the month which follows the death of the husband, and the last time for the quarter or month in which the aid ceases.

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<sup>1</sup> Loss of suffrage and certain other rights.

<sup>2</sup> *Kommunal bestyrelse*, the governing board of each commune.

<sup>3</sup> Money expended by the general community for the education, maintenance, and support of the blind, deaf, dumb, feeble-minded, and idiots is not classed as poor relief. Certain kinds of medical relief are also exempt from the civil disabilities attaching to poor relief.

SEC. 3. If a child is under the care of the poor relief or has been taken under the care of a council of guardians<sup>1</sup> (Law No. 72, April 14, 1905) it does not come within the provisions of this law.

SEC. 4. Half of the expense of the subsistence-allowance herein provided for is borne by the State, the remainder by the commune in which the widow concerned has her permanent abode. Country districts grouped with towns with respect to poor relief are referred to the said town.

SEC. 5. In regard to the expense which a commune, in accordance with the rules in section 4, incurs in the capacity of residence commune, it can (provided the widow in question is entitled to support elsewhere) claim reimbursement of three-fourths of the amount from the said commune owing support. If there is no commune which can be regarded as under liability for support, said expense shall be made good out of the public funds which in accordance with existing law are chargeable in place of the commune owing support.

SEC. 6. The acquirement by a widow of right of support in the commune of residence is regarded as pending for the period in which a subsistence-allowance (*Underholdsbidrag*) is granted under this law from the public funds to the children concerned.

SEC. 7. At the same time that the communal authorities, in accordance with section 32 of Law No. 85 of May 15, 1903, transmit to the minister of the interior and the county council, respectively,<sup>2</sup> the statement of certain expenditures therein mentioned (a, b, c, and d) there shall be forwarded a statement of what the commune has expended under the present law (sections 4 and 5).

At the apportionment of State aid pursuant to sections 31, 32, and 33 of the first-mentioned law this amount shall be included in the account.

SEC. 8. The management of all matters pertaining to a subsistence-allowance (*Underholdsbidrag*) in accordance with the provisions of this law rests upon the communal authority of the commune in which the widow concerned has her permanent abode.

SEC. 9. The communal authority which receives a request for a subsistence-allowance (*Underholdsbidrag*) must carefully investigate the economic conditions of the home in question to determine the need and other circumstances in order to decide what aid in each particular case shall be granted and how it shall be paid out. It is furthermore the duty of this authority to exercise supervision in order that the subsistence-allowance shall be expended in a proper manner for the benefit of the children concerned. It can determine that food or clothes shall be purchased with the subsistence money for the child.

In case a particular or general regulation of the communal authority with respect to the use of the aid is not complied with, the superior authority<sup>3</sup> is to be informed of the matter.

If it shall be deemed desirable, private societies may cooperate in the work of investigation and supervision.

SEC. 10. The payment of the subsistence-allowance (*see* sec. 2) shall be made in advance out of the treasury of the commune of residence concerned, after which the expenditure of the communal board is to be reported to the county for part repayment pursuant to section 4 of this act. With respect to the eventual reimbursement from the commune liable for support (sec. 5) the regulations in section 48 of Law No. 67 of Apr. 9, 1891, apply.

<sup>1</sup> The *Vaergeraad*, a special council of guardians in each commune which looks after the education and training of neglected and delinquent children.

<sup>2</sup> In rural communes the *Kommunal bestyrelsen* are under the supervision of their *Amtraad* or county council; in provincial towns under the minister of the interior.

<sup>3</sup> See footnote 2



The county is to report to the minister of the interior as soon as possible after the end of the fiscal year what amount in each commune has been expended for subsistence-allowances in accordance with the present law.

SEC. 11. Complaints in regard to the decisions of the communal authorities with respect to the provisions of this law shall not be made before the courts but before the superior authority,<sup>1</sup> whose decision if the complaint is not sustained is final, but in the contrary case, appeal may be taken by the communal authority to the minister of the interior.

If it comes to the knowledge of the superior authorities through the inspection of the accounts or otherwise that there is being granted aid (*Understøttelse*) to unqualified persons or the provisions of the law in other respects are not being complied with, decision in the case rests likewise upon them, which decisions may, however, be referred to the minister of the interior.

In the case of disputes between the communes themselves with respect to the obligations imposed upon them in accordance with this law, the chairman of the county council (*Amtmand*) of the superior magistracy to which the commune belongs, against which the obligation is urged, has the power of decision; and if the dispute relates to Copenhagen, the minister of the interior.

The decisions of the chairmen of the county councils (*Amtmaendene*) may be referred to the minister of the interior.

SEC. 12. The minister of the interior shall prepare detailed instructions respecting the drawing up of the forms for requests for subsistence-allowance (*Underholdsbidrag*) as well as regarding the accounts necessary to be kept, examination of accounts and so forth.

SEC. 13. The Government is empowered by royal proclamation to let this act come into force in the Faroes with such modifications as the special conditions in these islands may make expedient.

SEC. 14. This act takes effect on the 1st of January, 1914. Widows who at that time are receiving aid from the poor relief (*Fattigvaesen*), relief funds (*Hjaelpkasse*), or the communal section of the Copenhagen relief society, shall not on that account be debarred from coming under the provisions of this act.

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<sup>1</sup> The *Amtraad* or county council. The *Amtmand*, the chairman of this council, a State appointed, paid official, is the representative of the *Amtraad*.

# NEW ZEALAND WIDOWS' PENSION ACT, 1911.

## ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short title.</li> <li>2. Interpretation.</li> <li>3. Pensions to widows.</li> <li>4. Qualifications of applicant for pension.</li> <li>5. Children to whom act does not apply.</li> <li>6. Restrictions on grant of pensions.</li> <li>7. Rates of pension.</li> <li>8. "Annual income" defined.</li> <li>9. Rate of pension not to vary during pension year.</li> <li>10. Forfeiture of right to pension.</li> <li>11. Pension to be paid by monthly instalments.</li> <li>12. Pension claims.</li> <li>13. Applications for renewal to be made within first month of pension year.</li> <li>14. Magistrate to hear and determine pension claims.</li> <li>15. Registrar to issue pension certificates.</li> <li>16. Instalments of pensions to be paid through money-order office.</li> <li>17. Payments to be made within one month of due date, on production of pension certificate.</li> </ol> | <ol style="list-style-type: none"> <li>18. Payments to person other than pensioner in pursuance of warrant of commissioner.</li> <li>19. Receipt duly given to be evidence of payment.</li> <li>20. Forfeiture of pension.</li> <li>21. Amount of pension not affected by death of child within pension year.</li> <li>22. Suspension of payment in certain cases.</li> <li>23. Cancellation or variation of pension certificates by magistrate.</li> <li>24. Recovery of amount of pension paid in excess.</li> <li>25. Offences punishable by imprisonment.</li> <li>26. Penalty for receiving payment for procuring pension for any person.</li> <li>27. Pensions to be inalienable.</li> <li>28. Statutory declarations, how to be made.</li> <li>29. Exemptions from stamp duty.</li> <li>30. Minister of finance to provide for payment out of consolidated fund to provide for pensions.</li> <li>31. Administration expenses.</li> <li>32. Application of act restricted.</li> <li>33. Regulations.</li> </ol> |
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[1911, No. 16.]

An Act To make provision for the grant of pensions to widows having young children dependent on them.<sup>1</sup> (28th October, 1911.)

*Be it enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:*

1. This act may be cited as the Widows' Pensions Act, 1911, and shall come into operation on the first day of January, nineteen hundred and twelve.

2. In this act, unless a contrary intention appears—

"Commissioner" means the commissioner under the Old-age Pension Act, 1908:

"Registrar" means a registrar of old-age pensions under the said act:

"District" means a district constituted by the Governor for the purposes of and under the authority of the said act:

"Pension year" means in respect of an original pension certificate a period of twelve months commencing on the first day of the month in which the pension claim is made on which that certificate is issued, and in respect of a renewed pension certificate means a period of twelve months commencing on the corresponding day of any subsequent year:

"Pension certificate" means a certificate granted by a magistrate for the payment of a pension under this act:

<sup>1</sup> For legislative history of this act see New Zealand. Parliamentary debates, 1911, v. 156: 648-51, 692-3, 697, 815-9, 867-9, 938-42,

“Original pension certificate” means any pension certificate other than a renewed pension certificate:

“Renewed pension certificate” means a pension certificate for the continuance of a pension already granted under this act, whether with or without any alteration in the amount thereof.

3. Subject to the provisions of this act, every widow who at the commencement of any pension year conforms to the requirements hereinafter set forth shall be entitled to receive during that year a pension at the rate hereinafter provided.

4. No widow shall be entitled to a pension unless she is resident in New Zealand and has a child or children to whom this act is applicable.

5. This act shall not apply to—

(a) Any child over the age of fourteen years:

(b) Any illegitimate child, unless legitimated by the subsequent marriage of the parents:

(c) Any adopted child:

(d) Any child born out of New Zealand:

(e) Any child born in New Zealand unless its mother was resident in New Zealand for not less than six months before its birth.

6. No widow shall be entitled to a pension unless the magistrate to whom the application for a pension certificate is made is satisfied that she is of sober habits and of good moral character, and that the pension will be properly used for the support of her children.

7. (1) A pension under this act shall be payable at the following rates, subject to the deduction hereinafter provided:

(a) If the widow has one child to whom this act applies the pension shall amount to twelve pounds [\$58.44] a year:

(b) If she has two such children the pension shall be eighteen pounds [\$87.66] a year:

(c) If she has three such children, the pension shall be twenty-four pounds [\$116.88] a year:

(d) If she has more than three such children the pension shall be thirty pounds [\$146.10] a year.

(2) Each of the foregoing rates of pension shall be subject to a deduction of one pound [\$4.87] for every pound by which the annual income, as hereinafter defined, of the widow and her children as aforesaid exceeds the sum of thirty pounds [\$146.10].

8. (1) The term “annual income” as used in this act means the aggregate income from all sources (other than personal earnings and a pension under this act, not exceeding together the sum of one hundred pounds [\$487]) for the year ending one month before the commencement of the pension year.

(2) If a widow or any of her children to whom this act applies is the owner of any property which produces no income, or which produces an income less than five per centum of the value of that property, the widow or child shall for the purposes of this act be deemed to be in receipt from that property of an annual income equal to five per centum of the value thereof.

(3) If a widow or any of her children to whom this act applies is in receipt of any income which is partly derived from property and is partly personal earnings in respect of that property, the magistrate to whom the application for a pension certificate is made shall apportion that income in such manner as he thinks just, and the part thereof which is so apportioned as personal earnings shall not be computed as income for the purposes of this act.

9. Except as hereinafter provided, the rate of each year's pension shall not vary during the year.

10. No widow shall be entitled to a pension if she has at any time, whether before or after the coming into operation of this act, deprived herself directly or indirectly of property or income in order to qualify for a pension, or in order to increase the pension to which she would otherwise be entitled.

11. (1) Every pension shall be granted for and in respect of a single pension year, and shall commence at the beginning of that year.

(2) Every pension shall be payable by twelve equal monthly installments on the first day of each month, the first of such installments being payable on the first day of the second month of the pension year.

(3) The pension for each year shall be payable pursuant to a pension certificate issued in the prescribed form in respect of that year and not otherwise.

12. (1) Every application for a pension certificate (in this act termed a pension claim) shall be made in writing in the prescribed form and manner, and shall be delivered to the registrar of the district wherein the claimant resides, or to the nearest postmaster, who shall forthwith forward the same to the registrar.

(2) The date of such delivery of the claim to the registrar or postmaster shall be deemed to be the date of the making of the application.

(3) The claimant shall by statutory declaration affirm that the contents of the pension claim are true and correct in every material point.

(4) The pension claim shall state on the face thereof whether it is an application for an original pension certificate or for a renewed pension certificate.

13. If an application for a renewed pension certificate is made later than the end of the first month of the pension year, the installments of that year's pension for each complete month which has elapsed before the making of the application shall be deemed to be forfeited, and shall be excluded accordingly from the renewed pension certificate, unless the magistrate hearing the application is satisfied that the delay arose from unavoidable circumstances or is otherwise fit to be excused.

14. (1) Every pension claim shall be heard and determined by a magistrate exercising the jurisdiction of the magistrate's court in the district in which the claim is made; and the decision of the magistrate shall be final and conclusive.

(2) The Governor may, by order in council, make regulations governing the procedure in the hearing and determination of such claims.

15. So soon as any pension claim is established to the satisfaction of the magistrate hearing the same he shall, in the prescribed manner and form, certify the same to the registrar, who shall thereupon, in the prescribed manner and form, issue to the claimant an original or renewed pension certificate, as the case may be.

16. (1) Each monthly installment of a pension shall be payable at the post-office money-order office named in the pension certificate.

(2) On application in the prescribed manner, the office at which installments are so payable may be changed from time to time.

17. (1) Subject to the provisions of this act, each monthly installment shall be payable at any time within one month after its due date on the personal application of the pensioner and the production of her pension certificate at the proper post office money-order office.

(2) Any installment payable in respect of any month which has expired before the issue of the pension certificate shall be payable at the same time as the first installment which becomes due after the issue of the certificate.

(3) The commissioner may at any time, in his discretion, waive strict compliance with the requirements of this section in any case in which those re-



quirements have not been complied with by reason of the pensioner's illness, absence, or other sufficient cause, notwithstanding that the above-mentioned period of payment has already expired.

(4) In default of strict compliance with the requirements of this section, but subject to any such waiver as aforesaid, every installment in respect of which such default has been made shall be deemed to be forfeited.

18. (1) On production to the postmaster of a warrant in the prescribed form, signed by the commissioner, the installments of a pension or any of them may be paid to any clergyman, justice of the peace, or other reputable person named in the warrant for the benefit of the pensioner or her children.

(2) Such a warrant may be issued by the commissioner, either with or without the consent of the pensioner, whenever he is satisfied that it is expedient so to do, having regard to the age, infirmity, or improvidence of the pensioner, or any other special circumstances.

(3) The person to whom installments are so paid in pursuance of any such warrant shall hold the same in trust to expend them in such manner as he thinks fit for the benefit of the pensioner or of her children, but the pensioner shall have no control or power of disposition over any moneys so received in trust.

(4) Any warrant issued under this section may be at any time revoked by the commissioner.

(5) While any such warrant remains in force no installment to which it relates shall be payable except to the person named in the warrant in that behalf.

19. The written receipt of any person for any installment paid to that person on the production of a pension certificate or of a warrant under the last preceding section shall be conclusive evidence of due payment of that installment to the person entitled thereto, notwithstanding any mistake as to the identity of the recipient or as to any other matter.

20. If at any time during a pension year the pensioner dies or marries, or ceases to reside in New Zealand, her pension shall cease, and no installment thereof which is not then already due shall be payable.

21. The right to a pension or the amount of a pension shall not be affected during any pension year by reason merely of the fact that any child of the pensioner has during that year attained the age of fourteen years, or by reason merely of the death of any child of the pensioner.

22. If at any time the commissioner has reason to believe that any pension certificate has been improperly obtained, or has been granted in error, he may cause the payment of all installments of that pension to be suspended pending an inquiry before a magistrate under the next succeeding section.

23. (1) The magistrate may at any time, on the application of the commissioner, review any pension certificate, whether still current or already expired, on the ground of any alleged error in the grant thereof, and may either cancel the same or vary the same by diminishing the amount thereof in such manner as he thinks fit, having regard to the provisions of this act.

(2) Any order so made by the magistrate shall take effect retrospectively as from the commencement of the pension year in respect of which it is made.

24. When by reason of the cancellation or variation of a pension certificate, or by reason of determination during any pension year of the right to receive further payments of that pension, any pensioner has received any payments in excess of the amount to which she was lawfully entitled, all sums so received by her shall constitute a debt due by her to the Crown, and shall be recoverable accordingly in any court of competent jurisdiction, or may be deducted from any moneys thereafter becoming payable to her under this act.

25. Every person is liable on summary conviction to three months' imprisonment who—

- (a) By means of any willfully false statement obtains or attempts to obtain a pension under this act not being lawfully entitled thereto, or a pension of a larger amount than that person is lawfully entitled to; or
- (b) Knowingly obtains or attempts to obtain payment of any installment of a pension which has ceased to be payable; or
- (c) By means of personation or any other fraudulent device obtains or attempts to obtain payment of any installment of a pension; or
- (d) Willfully aids, abets, counsels, procures, or incites any person to obtain or attempt to obtain without right a pension or the payment of any installment of a pension.

26. Every person commits an offence and is liable on summary conviction to a fine of fifty pounds who receives, demands, or offers or agrees to receive any money or other reward or remuneration in consideration of procuring or attempting to procure for any other person a pension under this act, but nothing in this section shall extend or apply to any proper payment for legal services rendered by any solicitor of the supreme court.

27. A pension under this act shall be inalienable, whether by way of assignment, charge, execution, bankruptcy, or otherwise howsoever.

28. A statutory declaration required or authorized by this act or by any regulations made thereunder may be made before any justice of the peace, solicitor of the supreme court, registrar, postmaster, or constable.

29. No stamp duty shall be payable on any statutory declaration, receipt, or other document made or given for the purposes of this act.

30. The minister of finance shall from time to time, without further appropriation than this act, pay out of the consolidated fund into the post office account by way of imprest whatever moneys are necessary for the payment of pensions under this act.

31. All expenses incurred in the administration of this act other than the payment of pensions shall be payable out of moneys to be from time to time appropriated by Parliament.

32. This act, in so far as it applies to the grant of pensions, shall not apply to—

- (a) Aliens; nor to
- (b) Chinese or other Asiatics, whether naturalized or not, and whether British subjects by birth or not.

33. (1) The Governor in council may from time to time make regulations under this act relating to any of the following purposes or matters:

- (a) The procedure in all judicial proceedings (other than criminal proceedings) under this act;
- (b) The recording or registration of pension claims, pension certificates, and all other matters and proceedings in relation to pensions under this act;
- (c) The duties of the commissioner, registrars, postmasters, and magistrates under this act;
- (d) The transfer of pension certificates from the register of one district to the register of another district;
- (e) The issue of duplicate pension certificates in lieu of certificates lost or destroyed;
- (f) The forms of instruments required or authorized by this act;
- (g) The mode of payment of pensions;
- (h) All other matters in respect of which regulations are contemplated or required by this act, or which the governor deems necessary or admissible for the proper administration of this act.

(2) Such regulations shall be laid on the table of the House of Representatives within ten days after the commencement of each session, and referred to such sessional committee for report as the House directs.

### WIDOWS' PENSIONS AMENDMENT ACT, 1912.<sup>1</sup>

#### ANALYSIS.

##### Title.

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| <ol style="list-style-type: none"> <li>1. Short title.</li> <li>2. Definition of "widow" extended.</li> <li>3. Section 2 of principal act amended.</li> <li>4. Section 5 of principal act modified.</li> <li>5. Section 5 of principal act amended.</li> </ol> | <ol style="list-style-type: none"> <li>6. "Annual income" defined. Repeal.</li> <li>7. Review of pension-certificate on ground of altered circumstances of pensioner.</li> <li>8. On death of widow, guardian may receive pension on behalf of children.</li> </ol> |
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An Act To amend the Widows' Pensions Act, 1911. (7th November, 1912.)

*Be it enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:*

1. This act may be cited as the Widows' Pensions Amendment Act, 1912, and shall form part of and be read together with the Widows' Pensions Act, 1911 (hereinafter referred to as the principal act).

2. In the principal act and this act, unless a contrary intention appears, the expression "widow" shall be deemed to extend to and include any woman whose husband is detained in an institution under the Mental Defectives Act, 1911, if the magistrate to whom application for a pension certificate under the principal act is made finds, upon the certificate of the medical superintendent of the institution, that the husband is incurable or likely to be incurable for the period of at least twelve months after the granting of a pension certificate.<sup>2</sup>

3. Section two of the principal act is hereby amended by omitting from the definition of "pension year" the words "made on which that certificate is issued," and substituting the word "established."

4. (1) Notwithstanding anything in section five of the principal act, that act shall apply to—

(a) Any child born out of New Zealand if its mother was only temporarily absent from New Zealand at the time of its birth; and

(b) Any child born out of New Zealand if its mother has continuously resided in New Zealand for not less than ten years immediately preceding the date of an application for a pension under the principal act:

*Provided*, That continuous residence in New Zealand shall not be deemed to have been interrupted by occasional absences therefrom if she establishes the fact that during such absences her family or home was in New Zealand.

(2) Section five of the principal act is hereby amended by repealing paragraph (e) thereof.

5. Section five of the principal act is hereby amended by omitting from paragraph (b) the words "unless legitimated by the subsequent marriage of the parents," and substituting the words "unless after the birth of the child its parents have intermarried."

6. (1) The term "annual income" as used in the principal act and this act means all moneys, valuable consideration, or profits derived or received from

<sup>1</sup> Passed to meet certain difficulties and inequalities that had arisen in the operation of the law of 1911. For legislative history of this amendment, see New Zealand. Parliamentary debates, 1912, v. 158: 148, 157-8, 160; v. 159: 168; v. 160: 549; v. 161: 62-8, 171-2, 174-5, 212, 217, 223-4, 231, 529-32, 636, 662, 696.

<sup>2</sup> Up to March 31, 1913, the benefits of the pension had been extended under this amendment to 28 wives of inmates of insane asylums, who were the mothers of young children.

any source for the year immediately preceding the pension year by a widow and any of her children to whom the principal act as amended by this act applies, for their own use or benefit, and includes the constructive income computed in accordance with subsection three of this section, but does not include any pension payable under the principal act, nor any relief received from any charitable institution, nor any capital moneys belonging to a widow or any of her children to whom the principal act as amended by this act applies withdrawn from a bank and expended for the benefit of the widow or her children:

*Provided*, That where a widow is at the date of her application entitled to receive from any source during the pension year periodical payments of money on behalf of herself or of any of her children as aforesaid such money shall be included in the computation of the annual income, although no part thereof was actually received during the year immediately preceding the pension year.

(2) There shall be deducted from the annual income any personal earnings of the applicant not exceeding the sum of one hundred pounds.

(3) If a widow or any of her children to whom the principal act applies is the owner of any property (other than furniture and personal effects) which produces no income, or which produces an income less than five per centum of the value of that property, the widow or child shall for the purposes of this act be deemed to be in receipt from that property of an annual income equal to five per centum of the value thereof.

(4) If a widow or any of her children to whom the principal act applies is in receipt of any income which is partly derived from property and is partly personal earnings in respect of that property, the magistrate to whom the application for a pension certificate is made shall apportion that income in such manner as he thinks just between the income derived from such property and such personal earnings.

(5) Money received on the sale or exchange of land or other property and money received under an insurance policy on the destruction or damage by fire or otherwise of a building or other property shall not be included in the computation of the annual income.

(6) This section is in substitution for section eight of the principal act, which section is hereby repealed accordingly.

7. (1) In addition to the powers conferred by section twenty-three of the principal act, the magistrate may at any time, on the application of the commissioner, review any pension certificate during the currency thereof on the ground of the altered circumstances of the pensioner, and may either cancel the same or vary the same in such manner as he thinks fit, having regard to the provisions of the principal act and this act.

(2) Any order so made by the magistrate shall take effect as from the date of the order, or from such other date as is fixed by the order.

8. Notwithstanding anything in section twenty of the principal act, if a widow in receipt of a pension dies, the guardian or other person for the time being having the care or control of her children to whom the act applies shall, subject to the provisions of the said act and with the approval of the commissioner, be entitled to receive the pension to which the widow would have been entitled in respect of her children if she had lived.<sup>1</sup>

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<sup>1</sup> The total deaths of widows receiving pensions up to March 31, 1913, was 18. In 14 of these cases application was made and authority given for the continuance of the pensions to the guardians of the children.



## REGULATIONS UNDER THE WIDOWS' PENSIONS ACT, 1911.

Pursuant to and in exercise of the powers in this behalf conferred upon him by the Widows' Pensions Act, 1911 (hereinafter referred to as "the said act"), His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby, for the purposes of the said act, make the following regulations, that is to say:

## REGULATIONS.

*Interpretation.*

1. In these regulations "magistrate" means a stipendiary magistrate; "income year" means the year ending one month prior to the commencement of any pension year.

*Original pension claims.*

2. The original pension claim shall be in the form numbered 1 in the schedule hereto, and shall be issued only to or on behalf of a *bona fide* applicant for the pension. The claim shall be delivered to the registrar of the district in which the applicant resides, and such date of delivery, which shall be plainly stamped on the claim, shall be deemed to be the date of the making of the claim.

3. Where a pension claim is signed by a Maori applicant, or by any applicant who is the owner of native land, there shall be annexed a statement setting forth particulars of any customary rights or interest held in any block of land, whether under defined legal title or native custom, and such statement shall be deemed to be part of the pension claim to which it is expressed to refer, and there shall be indorsed thereon a certificate by a Government officer, to be given without fee, that the contents thereof were fully explained to and appeared to be fully understood by the applicant.

4. Each registrar shall keep a claim register in which all claims delivered to him shall be recorded and numbered consecutively in the order in which they are entered, so that no two entries shall bear the same number.

5. The registrar, after recording a claim and noting thereon its registered claim number, shall forthwith proceed to verify the statements of the applicant by the forms provided for the purpose, and while awaiting replies to his inquiries he shall forward the claim to the commissioner for the registrar general's certificate as to widowhood and the parentage and age of the children under the age of fourteen referred to therein, and for such particulars as to ownership of property as are obtainable from the various departments of State.

6. On return of the claim from the commissioner it shall be forwarded by the registrar, with replies to all inquiries made, to the magistrate exercising jurisdiction in the district, who shall on a date fixed for the investigation thereof proceed in open court, or, in his discretion, in chambers, to ascertain whether the applicant is entitled to a pension.

7. In connection with the investigation of pension claims the following provisions shall apply:

- (a) If in the course of investigation evidence is required on any specific matter, the commissioner, or the registrar, or any person authorized by the magistrate, may inquire into the same, and for the purpose of such inquiry free access shall be given to—
  - (1) The registers and records of any State department or office.
  - (2) All real and personal property of the applicant, and all books, vouchers, and documents relating to such property or to the income of the applicant.
  - (b) The powers of inquiry and search hereby given shall be limited to specified pensioners or applicants for pension, and shall not be construed as authorizing any general search or inquiry.
  - (c) It shall be the duty of all officers of the aforesaid departments and offices, and of any bank, insurance company, or other corporation carrying on business in New Zealand, and of all officers of the Post Office Savings Bank, and of any other Government department which receives investments of money from the public, and of any private individual to make true answers to all questions, and to afford, without fee, all such information as may be reasonably required for the purpose of prosecuting such inquiry as aforesaid.

(d) The magistrate may, in his discretion, accept as testimony for or against the claim—

(1) A statutory declaration made by any reputable person, who therein declares to what he knows of his own knowledge to be true; or

(2) Any other documentary evidence, whether strictly legal evidence or not; or

(3) The sworn spoken evidence of any reputable person who deposes to what he knows to be true; or

(4) The knowledge or observation of the magistrate himself.

(e) The valuations for the time being appearing in the general valuation roll under the Valuation of Land Act, 1908, shall, so far as the same are applicable, be used for the purpose of assessing the value of the property of applicants for the pension.

8. No pension claim shall be admitted unless the evidence of the applicant is corroborated on all material points.

9. If by reason of physical disability or other sufficient cause the applicant is unable to attend the investigation, and the magistrate is satisfied that the documentary evidence in support of the claim is sufficient to establish or reject it, he shall not require the personal attendance of the applicant.

10. For the purposes of such investigation, all the powers under the Magistrates' Court Act, 1908, and the Old-age Pensions Act, 1908, shall be available for compelling the attendance of witnesses or obtaining corroboration of an applicant's statements, and every witness shall be examined on oath.

11. The registrar, or some person appointed by him, shall have the right to appear at the investigation of any claim and to examine or cross-examine the applicant or any witness.

12. The pension claim, with a minute of the magistrate's decision indorsed thereon, shall be filed by the registrar, and each decision shall be notified by the magistrate to the registrar, who shall in turn advise the applicant and note the purport thereof in the claim register.

13. If the magistrate's decision is that the claim is rejected, his notification to the registrar shall specify the grounds for rejection, and, after being noted in the claim register, shall be forwarded to the commissioner, who shall record and file the same.

14. If the magistrate decides that the claim is established, he shall forward to the registrar a certificate of establishment in the form numbered 2 in the schedule hereto.

15. Upon receipt of the said certificate, the registrar, after noting the claim register, shall enter the contents thereof in the pension register hereinafter referred to, and, after indorsing thereon the next available number therein, shall then forward it to the commissioner, who shall record and file the same.

16. The commissioner shall, in respect of each magistrate's certificate of establishment received by him, having regard to the provisions of the said act, issue a pension certificate in the form numbered 3 in the schedule hereto.

#### *Pension register.*

17. The pension register shall contain particulars of each magistrate's certificate, and also of each transfer warrant received by the registrar, and all entries therein shall be numbered consecutively so that no two entries in the same register shall bear the same number. There shall also be recorded therein particulars of any circumstance affecting the payment of a pension, and the registrar shall, in respect of every such record, the notification of which is not otherwise provided for in these regulations, forthwith advise the commissioner in writing, or by telegraph if the record relates to the payment of any installment the due date of which has passed.

#### *Pension certificates.*

18. The pension certificate shall set out on the face thereof the office of payment and also the date on which the first installment falls due, which in the case of the first year's pension shall be the first day of the calendar month next after the date of the making of the claim, and the same date in each year thereafter.

19. If a pension certificate is lost, destroyed, or mutilated, the pensioner or her duly authorized agent appointed under these regulations may make application by statutory declaration to the registrar or postmaster, who shall

forward the application to the commissioner with his recommendation. After satisfying himself that the original certificate has been lost (destroyed, or mutilated, as the case may be, the commissioner shall issue a duplicate certificate, which shall bear across its face the word "Duplicate," and he shall instruct the paying office to pay on duplicate certificate only: *Provided*, That the issue of such duplicate may be delayed by the commissioner, at his discretion, for a period not exceeding one month from the date of the application, to give an opportunity for the finding of the original.

20. The application for transfer of a pension from one district to another shall be made in writing, and with respect thereto the following provisions shall apply:

(a) It shall not be granted unless the registrar to whom the application is made is satisfied that the pensioner is about to change or has permanently changed her residence to the new district, nor unless the pension certificate is lodged with the application, for which latter a receipt shall be issued as a subsequent means of identification.

(b) For the purpose of effecting the transfer the registrar of the district in which the pension is registered shall issue a transfer warrant, and shall transmit the same, together with the pension certificate and all papers relating to the original granting of the pension and any renewal thereof, to the registrar of the new district.

(c) The registrar issuing the transfer warrant shall note the transfer in his pension register, and shall forthwith forward the application duly noted by him to the commissioner, who shall issue the necessary instructions to the paying office.

(d) The registrar receiving the aforesaid warrant and pension certificate shall note the contents of the warrant in his pension register, and, after supplying the new number by which it is recorded, forward it by first mail to the commissioner, and in exchange for the receipt previously issued for the pension certificate shall deliver the said certificate to the pensioner or to the duly authorized agent appointed under these regulations, having first noted thereon the new number and the names of the new district and paying office.

(e) The receipt for the pension certificate shall be attached to the pensioner's former papers, which shall be filed by the registrar.

21. If the pensioner or other person duly authorized to receive payment of the installments of a pension desires that the office of payment only shall be changed, she or he shall make application in the form numbered 4 in the schedule hereto to the postmaster or to the registrar of the district in which she or he may be residing, and in support thereof shall produce the pension certificate. The officer receiving the application, after noting the change of office of payment on the pension certificate, which he shall return to the applicant, shall forward the application to the commissioner, who shall issue the necessary instructions to the paying office.

#### *Payment of pensions.*

22. The commissioner shall, in respect of every pension granted, provided payment has not been stopped for any reason, transmit to the paying office in every month a form of advice of payment of the instalment falling due on the first day of the following month, and such advice shall constitute the form of receipt for the said instalment.

23. When receiving payment of any instalment of a pension, the payee shall give a receipt for the same, and when making payment the paying officer shall note on the back of the produced pension certificate the date and fact of such payment by affixing thereto his signature and office stamp: *Provided*, That the paying officer, if not satisfied as to the identity of the payee, shall withhold payment and report to the commissioner.

24. If the payee is other than the pensioner, the payee shall in such receipt certify that to his certain knowledge the pensioner is alive and residing in New Zealand, giving address, and that the instalment applied for is properly payable.

25. The paying officer shall, in every case where the last instalment covered by a pension certificate has been paid, retain the said certificate, and forward it with his accounts.

26. Whenever any instalment is payable under a warrant issued under these regulations, the pension certificate shall be produced by the payee at the time of payment, together with the warrant; and, where the aforesaid warrant relates to a single instalment, or the last of a series of instalments, it shall be



delivered up to and retained by the paying officer on payment of such installment, and forwarded with his accounts.

27. In the event of any installment being paid on production of a lost pension certificate after the issue of a duplicate of such certificate, or on a pension certificate during the currency of a warrant directing payment to other than the pensioner, the holder of such duplicate or warrant shall have no claims against His Majesty in respect of the installment so paid.

28. In the event of any installment being forfeited in terms of section 17 of the said act, the pensioner or other person authorized to collect the pension may make application to receive such installment in writing to the registrar or to the paying postmaster, to whom the pension certificate shall be produced, and such application shall be forwarded for consideration with a recommendation as to payment to the commissioner, who shall notify his decision direct to the applicant.

#### *Agents' warrants.*

29. With respect to a warrant issued in terms of section 18 of the said act, authorizing payment of instalments to any person for the benefit of the pensioner or of her children, the following provisions shall apply:

(a) The application for such warrant shall be made in writing to the registrar or to the paying postmaster, and shall be forwarded to the commissioner, accompanied by the pension certificate, if the pensioner consents to the application. If the pensioner does not consent to the application and refuses to give up the pension certificate, the application shall state these facts.

(b) The proposed payee, who must be a European of good repute, shall have reached the age of twenty-one years.

(c) The warrant, which shall be signed by the commissioner, shall be in the form numbered 5 in the schedule hereto, and shall continue in force only during the currency of the pension certificate to which it is expressed to relate: *Provided*, That it may be renewed upon the issue of a renewed pension certificate, and provided that it may be canceled by the commissioner at any time for good cause shown.

(d) No such warrant shall be issued in respect of a pension where the pensioner is absent or about to be absent from the district in which the agent is residing, unless under special circumstances, which shall be set forth in the application.

(e) The commissioner shall issue the warrant, together with the pension certificate if it has been forwarded with the application, direct to the person entitled thereto.

(f) If the pensioner does not consent to the application and refuses to give up the pension certificate, then, if the commissioner thinks fit to issue a warrant, the paying officer shall retain the pension certificate when next it comes into his hands, and forward it to the commissioner to be forwarded to the person entitled to the warrant.

(g) A warrant surrendered to the registrar at any time, or to the paying officer during its currency, shall be forwarded to the commissioner without delay.

#### *Renewals of pension.*

30. For the purpose of ascertaining whether a pensioner is entitled to a renewed pension certificate, the following provisions shall apply:

(a) An application shall be made to the registrar by the pensioner in the form numbered 6 in the schedule hereto immediately after the close of the income year: *Provided*, That where no application is lodged within three months after the expiry of the said income year, the registrar shall strike the pensioner's name off the pension register, and notify the commissioner that he has done so, and any subsequent application for a pension shall be made as an original claim, and treated accordingly.

(b) In order to facilitate the prompt furnishing of the application, the commissioner shall in each month forward to the registrar a list of pensions the income years of which are about to expire, accompanied by a blank form of application in each case, and the said forms of application shall forthwith be issued by the registrar to the respective pensioners.

(c) On receipt of the application duly completed, the registrar shall forthwith proceed to verify the statements of the pensioner by the forms provided for the purpose, and in due course shall transmit the application, with replies to all inquiries made, to the magistrate exercising jurisdiction in the district.



(d) The magistrate shall forthwith proceed to investigate the application in the same manner, with the same powers, and subject to the same provisions as in the case of an original pension claim, with all necessary modifications.

31. Having ascertained that the requirements of the said act have or have not been conformed to, the magistrate shall indorse his decision on the application, and shall furnish to the registrar a certificate in the form numbered 7 in the schedule hereto, and the registrar, after noting the purport thereof in the pension register, shall forthwith forward the said certificate to the commissioner, who shall record and file the same: *Provided*, That in every case where any alteration has been made in the amount of property previously owned, or where any change has taken place in the circumstances of a pensioner necessitating a variation in the amount of pension, the registrar shall supply the commissioner in writing with particulars of such alteration or change.

32. The commissioner shall, in respect of each such certificate received by him, having regard to the provisions of the said act, and provided the certificate shows the pensioner to be entitled thereto, issue a pension certificate in accordance therewith in exchange for the expired certificate.

33. Where, at the investigation of any application for the renewal of a pension, it is found that by reason of excess of property or income the pensioner is no longer qualified to receive the pension, or has drawn any pension in excess of the amount allowed by law, the registrar shall make application to the magistrate to have the pension certificate then current cancelled forthwith; and the registrar shall, in the event of any instalment having been collected subsequent to the receipt of such excess of property or income, call upon the pensioner to make refund of such instalments so collected.

*Proceedings under sections 23, 24, and 25.*

34. Any inquiry under section 23 of the said act shall be disposed of in the same manner and with the same powers as in the investigation of a pension claim, and for that purpose the provisions of the said act and of these regulations shall apply with all necessary modifications. The decision of the magistrate shall be notified to the registrar in writing, and, after being noted in the pension register, shall be forwarded to the commissioner, who shall record and file the same, and take such action as is necessary to comply with the terms thereof.

35. Where, as a result of any such inquiry or by any other means, it is ascertained that the pensioner has been paid in excess of the amount to which she was by law entitled, or that the pensioner or any person is guilty of fraud and liable to the penalty provided by section 25 of the said act, and where it is decided by the commissioner to institute proceedings in the magistrate's court, the said proceedings, in the case of an action for recovery of pension overpaid, shall be by plaint, as provided by the Magistrates' Courts Act, 1908, and in the case of a prosecution for fraud shall be by information laid in terms of the Justices of the Peace Act, 1908.

36. All proceedings under the said act whether in respect of an offence heretofore or hereafter committed, or of moneys recoverable under section 24 of the said act, shall be taken before a magistrate alone, and may be so taken at any time not exceeding six months from the time when the facts first came to the knowledge of the commissioner. In all such proceedings the registrar, or other person appointed by the commissioner, may appear on behalf of the commissioner, and the fact that any person so appears shall be sufficient evidence of his authority so to do.

37. No court fees shall be payable in connection with any proceedings before a magistrate under these regulations.

38. All moneys received by way of refund, either with or without court proceedings, shall be paid into the public account at the nearest branch of the Bank of New Zealand, or, in the absence of any such bank, into the post-office account at the nearest post office, and the registrar shall forward the bank or post-office receipt to the commissioner without delay, giving particulars of such refund.

*Returns.*

39. The registrar shall despatch to the commissioner immediately after the close of each month returns for the said month as under—

(a) A return of all new pensions granted during the month, indicating therein in their respective numerical order the numbers that have been allotted to transferred pensions.

(b) A return of all original pension claims investigated by the magistrate during the month and not granted, giving the reasons for rejection or adjournment.

(c) A return of the applications for renewed pension certificates refused or adjourned during the month, giving the reasons for such refusal or adjournment.

*Duties of Government officers.*

40. It shall be the duty of all Government officers to assist applicants in the preparation of their pension claims.

41. It shall be the duty of every registrar of the supreme court or clerk of a magistrate's court, if at the time of the conviction in his court of any female for any offence he has reason to believe that such female is a widow, to ascertain whether the said female is a pensioner under the said act, and if so to notify the commissioner in writing accordingly.

42. It shall be the duty of every registrar of deaths to notify the commissioner in writing of the death of every widow leaving children of the age of fourteen years and under, whose death is reported to him.

43. It shall be the duty of officers of the police force, in addition to assisting applicants in the preparation of their pension claims, to render such service as may be required by the commissioner, or the registrar, in connection with the investigation of any claim or any inquiry under the said act. Authority to incur expenditure by any such officer on any occasion must be obtained beforehand from the commissioner through the local registrar.

44. These regulations shall come into force in the 1st day of January, 1912.

FORMS UNDER THE WIDOWS' PENSIONS ACT, 1911.

ORIGINAL PENSION CLAIM.

No. —.

[This form is to be issued only to or on behalf of a bona fide applicant for pension.]

To the registrar of pensions at —:

I, the undersigned, being a widow, hereby make claim for a pension under the afore-said act.

My present full name is —. My former full name was [or names were] —. My full address is —. My occupation is [or was] —. I have lived previously in New Zealand at —. I was born at —, in the country of —, on the — day of —, 18—. I am a British subject [state if by birth or naturalization] (and produce naturalization papers of self or late husband). I arrived in New Zealand on the — day of —, 1—, at the port of —, in the ship —. [If absent from New Zealand during the past six months, state when.] I was married at —, on the — day of —, 1—. My late husband's name was —. He died at —, on the — day of —, 1—. His death was registered at —. The total number of children born to me is [quote number only].

The following particulars relate to all my children who are under fourteen years of age and are dependent on me for their support:

Names of children in full (under fourteen years).	Dates of birth.	Places of birth.	Places of registration of birth.

The name and address of a person [who must be well known and not a relative] who knows my circumstances are as follows:

[Registrar to issue Form II].

The income of myself and of such of my children as are under the age of fourteen years during the past twelve months has been as follows:

	£
1. Salary, wages, or other personal earnings.....	
2. Profits from business.....	
3. Superannuation or other pension.....	
4. Annuity from life assurance company or other source.....	
5. Money left by will or legacy.....	
6. Dividends from shares, debentures, or investments of any kind.....	
7. Money from life assurance company—such as loan, bonus, surrender value, or sum assured.....	
8. Money received as compensation for accident, loss of office, or other cause.....	
9. Interest on money lent on mortgage, in bank, or other institution.....	
10. Money derived by way of rent from property.....	
11. Money derived from sale of milk, grain, or produce of any kind.....	
12. Money withdrawn from bank or obtained by mortgage on property.....	
13. Allowances or valuable consideration received from relatives or other persons.....	
14. Estimated value of free board and lodging.....	

The names and addresses of the persons from whom above income was received are as follows:

[Registrar to issue Form G1 or G2].

The following interests in land and house property are owned by me or my children under fourteen years of age:

Description.	Section and block Nos.	Locality.	Area.	Government valuation.
Freehold.....			A. R. P.	
Leasehold.....				
Life interest.....				

NOTE.—Particulars of native land to be supplied on separate form.

[Registrar to issue Form C.]

The above property is mortgaged to [give full name, address, and occupation of mortgagee].  
The amount owing on this mortgage at the present time is £ ———.

[Registrar to issue Form I.]

Money owned by me or my children under fourteen years of age is as follows:

	Amount in bank.	Where account kept, and No. of pass book.	Amount withdrawn during past twelve months.
	£ s. d.		£ s. d.
In Post Office Bank.....			
In Bank of New Zealand.....			
In Bank of New South Wales.....			
In Bank of Australasia.....			
In Union Bank of Australia.....			
In National Bank of New Zealand.....			
In any other institution.....			
In any building society.....			

[Registrar to issue Forms B and D.]

Other property owned by me or by my children under fourteen years of age is as follows: £

Furniture and personal effects [if insured, give insured value].....  
Cash in hand, or lent to, or in hands of [give name and address].....  
Live stock [sheep, cattle, horses, etc.].....  
Value of shares, debentures, or bonds in any company, institution, building, or other society [particulars].....  
Value of interest in business, stock in trade, or venture of any kind [particulars].....  
Any other property (not already specified) [particulars].....

Total.....

Particulars of bill of sale or mortgage on any of this property are as follows: ———;

[If any of this property is insured, state which, and give amount of insurance: ———.]

The following property, owned by me or my children, has been transferred or sold during the past twelve months:

Description.	Name and address of person to whom transferred.	Date of transfer.	Amount received for transfer.
			£ s. d.
Freehold or leasehold.....			
Cash, or money on mortgage.....			
Furniture, stock, shares.....			
Interest in business.....			
Life or other interest.....			

The money received by me for transfer of above property has been disposed of as follows:

In addition to property now owned or transferred as shown in the foregoing statement, money or other valuable consideration has been received and disposed of by me or my children under fourteen years during the past twelve months as follows:

1. In the event of a pension being granted to me, I desire—

1. That installments be made payable at the post office at ———.

[NOTE.—Payment can be arranged at any post office which is not a money-order office by registered letter.]

2. That, on account of my physical inability to attend the above post office, installments be made payable for the benefit of myself and children to—Full name, ———, Occupation and address, ———.

I do hereby solemnly and sincerely declare that the contents of this my claim are true and correct in every particular, and that to the best of my knowledge and belief I have fulfilled all the requirements and am exempt from all the disqualifications under the

aforesaid act up to the date of this my claim, and am entitled to a pension. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an act of the General Assembly of New Zealand intituled the Justices of the Peace Act, 1908.

\_\_\_\_\_ [Signature of applicant.]

Declared by the said \_\_\_\_\_, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the declarant fully understanding the contents of this claim, \_\_\_\_\_, justice of the peace [or solicitor, or registrar of pensions, or postmaster, or constable.]

This is to certify that the contents of this claim have been read over and fully explained to the applicant, who appeared to fully understand the meaning thereof.

\_\_\_\_\_,  
Postmaster [or Clerk of Court, or Constable, or Registrar of Pensions].

[Date.]

*Magistrate's notes.*

I have investigated the application herein, and find the following facts proved: 1. Applicant is a widow. 2. Applicant is a British subject. 3. Applicant has \_\_\_\_\_ children who are under fourteen years of age. 4. Applicant has been resident in New Zealand for six months. 5. Applicant has not transferred property to qualify for the pension. 6. Applicant is of sober habits and of good moral character. 7. The income of applicant and such of her children as are under fourteen is as follows:

	£	£
(a) Personal earnings .....		
Less exemption .....		100
(b) Actual income from property .....		
(c) Actual income from all other sources .....		
(d) Constructive income in terms of section 8 (2): Home, £____; furniture and effects, £____ (less mortgage, _____) .....		
Cash .....		
All other property .....		
Less mortgage .....		
Total .....		
5 per cent. ....		
Total income .....		

Notes: \_\_\_\_\_.

Decision: \_\_\_\_\_.

Date: \_\_\_\_\_, 191\_\_\_\_.

\_\_\_\_\_, Stipendiary Magistrate.

MAGISTRATE'S CERTIFICATE OF ESTABLISHMENT.

Claim No. \_\_\_\_\_.

District, \_\_\_\_\_. Pension No. \_\_\_\_\_.

I hereby certify that the above-numbered claim, made by \_\_\_\_\_ [occupation; if no present occupation, state former occupation], of \_\_\_\_\_, has this day been investigated by me, and it has been proved to my satisfaction—

1. That the applicant fulfils the conditions of the aforesaid act.

2. That the applicant is the mother of \_\_\_\_\_ child[ren] under the age of fourteen years, and is entitled to a maximum pension of £\_\_\_\_, subject to the deduction shown hereunder.

3. That the applicant's income from all sources is as follows:

	Net income.
	£
(a) Income from personal earnings .....	£
Less statutory exemption .....	£100
(b) Actual income from property [to be included only when more than 5 per cent of value of property (see below)] .....	
(c) Actual income from other sources .....	
(d) Constructive income (in terms of section 8 (2)):	
On account of home .....	£
Less mortgage .....	£
On account of furniture and effects .....	£
Less mortgage .....	£
On account of cash .....	£
On account of other property <sup>1</sup> .....	£
Less mortgage .....	£
Total property .....	£
5 per cent. of property [to be included when more than actual income from property (see above)] .....	
Total income .....	
Deduction on account of income in excess of £30 .....	
Decision: The applicant is granted a pension of £.....	

<sup>1</sup> Particulars of other property.



The pension year commences on the 1st day of ———, 191—.

—————, *Magistrate.*

[Date.]

Payment is desired at the ——— post office.

Warrant under section 18 is required on account of ———, in favor of [full name, occupation, and address.]  
Noted in claim register and in pension register: [Initials of registrar.]

#### PENSION CERTIFICATE.

The pension being for the personal support of the pensioner, this certificate is absolutely inalienable whether by way of assignment, charge, execution, bankruptcy, or otherwise howsoever.  
(Not transferable.)

District, ———. Certificate No. ———.  
This is to certify that ——— has been granted a pension of ——— pounds sterling, payable by twelve equal monthly installments of £———, of which the first installment is payable on the 1st day of ———, 191—, and each subsequent installment on the first day of each calendar month thereafter, at the post office at ———.

Countersigned:

—————, *Commissioner.*

[Date.]

Specimen of signature of pensioner: ———.

CAUTION.—Installments of pension are payable for a period of one calendar month after due date, and should be collected during that month.

#### APPLICATION FOR CHANGE OF OFFICE OF PAYMENT.

[NOTE.—Payment can be made at any post office in New Zealand not a money-order office by registered letter.]

Pension certificate No. ———.

District, ———.

I, ——— [address], being the pensioner [or, as the case may be, the duly authorized agent], pursuant to the above-numbered pension certificate, hereby apply that the office of payment may be changed from ——— to ———, on the grounds that ———.

The installments required at the new paying office are as follows:

————— [signature of applicant].

[Date.]

*To be forwarded through registrar in every case.*

*The commissioner, Wellington:*

For your information. The change has been noted in my widows' pension register, and the pension certificate has been altered.

—————, *Registrar at ———.*

#### WARRANT UNDER SECTION 18.

To be surrendered on payment of the installment due 1st ———, 19—.

District, ———. Pension certificate No. ———.

I hereby direct that the installments of pension payable pursuant to the attached pension certificate shall be payable for the benefit of the pensioner and her children to [full name, occupation, and address].

Countersigned:

[Date.]

—————, *Commissioner.*

CAUTION.—It is not lawful for an agent, appointed under this warrant, to collect an installment after the death or remarriage of the pensioner, or while the pensioner is not residing in New Zealand.

#### APPLICATION FOR RENEWED PENSION CERTIFICATE.

Claim No. ———. Previous pension, £———.

Pension No. ———.

*To the registrar of pensions at ———:*

I, the undersigned, hereby make claim for a renewal of my pension under the aforesaid act, to be made payable at the ——— post office. My full name is ———. My full address is ———. The names of my children who are still under the age of fourteen years are: ———. It is my wish that installments of my pension shall continue to be drawn by [name, occupation, and address]. For the twelve months ended the 1st day of ———, 191—, the income of myself and of such of my children as are under the age of fourteen years has been as follows:

£

1. Salary, wages, or other personal earnings.....
2. Profits from business.....
3. Superannuation or other pension.....
4. Annuity from life assurance company or other source.....
5. Money left by will or legacy.....
6. Dividends from shares, debentures, or investments of any kind.....
7. Money from life assurance company, such as loan, bonus, surrender value, or sum assured.....
8. Money received as compensation for accident, loss of office, or other cause.....
9. Interest on money lent on mortgage, in bank, or other institution.....
10. Money derived by way of rent from property.....
11. Money derived from sale of milk, grain, or produce of any kind.....
12. Money withdrawn from bank or obtained by mortgage on property.....

13. Allowances or valuable consideration received from relatives or other persons. £  
 14. Estimated value of free board and lodging. \_\_\_\_\_

Total. \_\_\_\_\_

Actual date of receipt of income exceeding £60 (other than personal earnings) was \_\_\_\_\_. Names and addresses of persons from whom above income was received: \_\_\_\_\_.

[Registrar to issue Forms G1 or G2.]

Property owned by me and my children under 14 years of age is as follows:

	Owned by me.	Owned by my husband [wife].
Land and house property (used as a home).....	£	£
Furniture and personal effects [if insured, give insured value].....		
Land and house property (not used as a home).....		
Money in hand, in bank, or lent out.....		
Live stock, shares, or other property [give particulars].....		
Totals .....		

The above property is mortgaged to [give full name, address, and occupation of mortgagee]: \_\_\_\_\_. Amount owing on said mortgage at the present time is: On home and furniture, £ \_\_\_\_; on other property £ \_\_\_\_.

[Registrar to issue Form 1.]

Property sold or transferred by me during the past year is as follows:

Description.	Name and address of person to whom sold or transferred.	Amount received for transfer.
Land and house property.....		£
Furniture and personal effects.....		
Cash or money on mortgage.....		
Live stock, shares, &c.....		
Interest in business.....		
Any other property [particulars].....		

The money received by me for transfer of property above has been disposed of as follows: \_\_\_\_\_.

In support of my application I solemnly and sincerely declare as follows: (1) That the contents of this my application for renewal of pension are correct in every detail. (2) That, to the best of my knowledge and belief, I have fulfilled all the requirements and am exempt from all the disqualifications under the aforesaid act. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an act of the General Assembly of New Zealand intituled the Justices of the Peace Act, 1908.

Declared by the said \_\_\_\_\_, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 191-, before me, \_\_\_\_\_, justice of the peace [or solicitor, or registrar of pensions, or postmaster, or constable.]

*Magistrate's notes.*

I have investigated the application herein, and find the following facts proved: 1. Applicant is still a widow. 2. Applicant has \_\_\_\_\_ children under fourteen years of age. 3. Applicant has not transferred property to qualify for the pension. 4. Applicant is of sober habits and of good moral character. 5. The income of applicant and such of her children as are under fourteen is as follows:

(a) Personal earnings £____, pension £____	£100	£
Less exemption.....		
(b) Actual income from property.....		
(c) Actual income from all other sources.....		
(d) Constructive income (in terms of section 8 (2)):		
Home, £____; furniture and effects, £____	£	
Less mortgage.....		
Cash.....		
All other property.....		
Less mortgage.....		
Total.....		
Five per cent.....		
Total income.....		

Notes: \_\_\_\_\_,  
 Decisions: \_\_\_\_\_,  
 Date: \_\_\_\_\_, 191-.

\_\_\_\_\_, Stipendiary Magistrate.

## MAGISTRATE'S CERTIFICATE AS TO RENEWAL OF PENSION.

District, ———. Pension No. ———.

I hereby certify that I have investigated the application for renewal made by [name and address], and am satisfied on the following points:

(1) That the conditions of the aforesaid act have been complied with [or, as the case may be, have not been complied with in so far as relates to section — of that act].

(2) That the pensioner is the mother of ——— children under the age of fourteen years, and the maximum pension payable is £——, subject to the deduction shown hereunder.

(3) That the pensioner's income from all sources is as follows:

	Net income.
	£
(a) Income from personal earnings, £—; pension, £—.....	£
Less statutory exemption.....	£ 100
(b) Actual income from property [to be included only when more than 5 per cent of value of property—see below].....	
(c) Actual income from other sources.....	
(d) Constructive income (in terms of section 8 (2):	
On account of home.....	£
Less mortgage.....	£
On account of furniture and effects.....	£
Less mortgage.....	£
On account of cash.....	£
On account of other property <sup>1</sup> .....	£
Less mortgage.....	£
Total property.....	£
Five per cent of property [to be included only when more than actual income from property—see above].....	
Total income.....	£
Deduction on account of income in excess of £30.....	
Decision: The pensioner is granted a pension of £.....	

<sup>1</sup> Particulars of other property.

The pension year commences on the 1st day of ———, 191—.  
[Date.]

Payment is desired at the ——— post office.  
Renewal of warrant under section 18 required in favour of ———.  
Noted in pension register: [Initials of registrar].

—————, Magistrate.

—————,  
Clerk of the Executive Council.

[Extract from New Zealand Gazette, November 23, 1911.]

## OPERATION OF LAW.

The Widows' Pensions Act created no new machinery for its administration, but instead made use of that already existing for old-age pensions. As the system in operation under the old-age pensions acts was readily adaptable to the new measure, the inauguration of the scheme was carried out without any hitch. The act was passed on the 28th of October, 1911. Copies of the act were distributed immediately to the various registrars and the regulations under the act gazetted on the 23d of November. By the second week of December forms of applications were available from one end of the Dominion to the other, with the result that pensions were being granted within a few days of the law coming into force on January 1, 1912.

During the first fifteen months of the operation of the law, from January 1, 1912, to March 31, 1913, a total of 1,865 claims for pensions were lodged, of which number 1,448 were established, 338 rejected, and 79 were awaiting investigation March 31, 1913. The number of children under 14 on whose account pensions were granted was 3,527, the total number of children in the 1,448 families being 7,297. Average number of children under 14 per family, 2.44; average of family, 5.

There were on the roll March 31, 1913, 1,313 pensioners with a total annual liability of £24,768 (\$120,620.16); average pension £18 17s 3d (\$91.86). 224 of

the widows were receiving a pension of £30 (\$146.10); 239 a pension of £24 (\$116.88); 346 a pension of £18 (\$87.66); and 406 a pension of £12 (\$58.44). 98 widows in the four groups, who had incomes in excess of the amount exempt from consideration, were receiving pensions at the slightly lowered rates provided for in sections 7 and 8 of the principal act.

The income and property of the 1,313 widows' pensioners at the end of the year (exclusive of the pensions) were as follows:

<b>Income—</b>		
From property.....	£8,431	\$41,058.97
From other sources (including personal earnings).....	38,998	189,920.26
Total.....	47,429	230,979.23
Average income per pensioner.....	36	175.32
<b>Property—</b>		
Homes.....	115,835	564,359.95
Cash.....	36,791	179,172.17
Other property.....	41,172	200,507.64
	193,848	944,039.76
Less mortgages.....	53,178	258,976.86
Total.....	140,670	685,062.90
Average amount of property per pensioner.....	107	521.09

Of 903 of the 1,313 widows the occupation given was domestic duties; of 100, charwoman; of 48, dressmaker; of 41, boarding housekeeper; of 38, nurse; of 34, laundress; of 17, factory hand; of 16, tailoress; of 15, machinist; of 13, dairy farmer; of 12, shopkeeper; of 9, shop assistant; of 7, postmistress; of 6, farmer; of 6, music teacher. The remaining 48 were scattered under a number of different occupations.

Only 36 of the 1,313 widows on the roll March 31, 1913, were over 55 years of age. (The amendment of 1911 to the Old-age Pension Act provides an old-age pension in excess of the maximum available as a widows' pension to women 55 or over with children under 14.) The remainder represent approximately 15 per cent of the total number of widows in the Dominion between the ages of 20 and 55.

(From the fourteenth and fifteenth annual reports of the New Zealand pensions department, 1912-13.)



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